

# Memorandum

MIAMI-DADE  
COUNTY

**Date:** March 15, 2005

**To:** Honorable Chairman Joe A. Martinez and Members,  
Board of County Commissioners

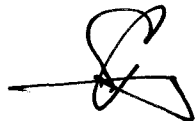
Agenda Item No. 4(K)

**From:** George M. Burgess  
County Manager

**Subject:** Class I Permit Application by TRG-Alaska I, LTD for a Class I Permit for Installation of Sixty-One Point Zero Nine (61.09) Linear Feet of New Bulkhead and the Backfilling of an Existing Boat Basin

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Attached, please find for your consideration an application by TRG-Alaska I, LTD for a Class I Permit. Also, attached is the recommendation of the Director of the Department of Environmental Resources Management and a Resolution approving the aforesaid Class I Permit.



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Deputy County Manager

# Memorandum



**Date:** March 15, 2005

**To:** George M. Burgess  
County Manager

A handwritten signature in black ink, appearing to read "John W. Renfrow", written over the "From:" line of the memorandum.

**From:** John W. Renfrow, Director  
Environmental Resources Management

**Subject:** Class I Permit Application by TRG-Alaska I, LTD for a Class I Permit for Installation of Sixty-One Point Zero Nine (61.09) Linear Feet of New Bulkhead and the Backfilling of an Existing Boat Basin

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## **RECOMMENDATION**

I have reviewed the application for a Class I Permit by TRG-Alaska I, LTD. Based on the applicable evaluation factors set forth in Section 24-48.3 (1)(formerly Section 24-58.3) of the Code of Miami-Dade County, Florida, I recommend the Board of County Commissioners approve the aforesaid application for the reasons set forth below.

## **BACKGROUND**

The subject Class I permit application involves the installation of sixty-one point zero nine (61.09) linear feet of new bulkhead and the backfilling of an existing boat basin. The project area is located on the southwest side of the southern tip of Miami Beach, at 800 South Pointe Drive, Miami Beach, Miami-Dade County, Florida.

The applicant TRG-Alaska I, LTD proposes to install a new bulkhead along the water ward edge of an existing boat basin, and backfill the basin for future use as part of an upland public park. As part of a settlement agreement with the City of Miami Beach, TRG-Alaska I, LTD has agreed to transfer the subject property to the City of Miami Beach for use as part of a public bay walk at South Pointe Park.

The existing boat basin is approximately sixty-one (61) feet wide by one hundred (100) feet long, and is bordered on three sides by a severely corroded steel sheet pile bulkhead. The basin has not been used for the mooring of vessels for several years. The bottom within the basin is comprised of sand and silts and is devoid of sea grass. Several species of corals and sponges are present on the existing bulkhead surrounding the basin and will be impacted by the proposed work. However, the applicant proposes to relocate the majority of these corals to a nearby area thereby reducing the overall project impact. In addition, the applicant will create additional benthic habitat by placing approximately 60 cubic yards of limestone riprap boulders along the base of the new seawall.

The Miami-Dade County Department of Environmental Resources Management (DERM) bases its recommendation for approval, denial, or approval subject to the conditions, limitations or restrictions, of Class I Permit applications on the applicable evaluation factors contained in Section 24-48.3 (1) of the Code of Miami-Dade County, Florida. Section 24-48.3(2) of the Code of Miami-Dade County requires that dredging or filling work proposed in Class I permit applications shall comply with at least one of six listed criteria. Filling for the purposes of upland development is generally not consistent with these criteria. However, on September 9, 2004, the Environmental Quality Control Board granted a variance from this Section of the Code to the applicant for this proposed project.

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The proposed project has been designed in accordance with all relevant Miami-Dade County coastal construction criteria and is also consistent with all other Miami-Dade County coastal protection provisions. Please find attached a Project Report from the DERM Coastal Resources Section which sets forth in more detail the reasons why the project is recommended for approval by DERM pursuant to the applicable evaluation factors set forth in Section 24-48.3 (1) of the Code of Miami-Dade County, Florida. The conditions, limitations, and restrictions set forth in the Project Report attached hereto are incorporated herein by reference hereto.

**Attachments**

- Attachment A: Class I Permit Application & Owner's Authorization Statement Letter
- Attachment B: Affidavit of Ownership
- Attachment C: Engineer Certification Letter & Project Sketches
- Attachment D: Adjacent Riparian Landowner's List
- Attachment E: Project Report
- Attachment F: EQCB Board Order

NOTICE OF PUBLIC HEARING ON AN APPLICATION BY  
TRG-ALASKA I, LTD FOR A CLASS I PERMIT TO  
INSTALL SIXTY-ONE POINT ZERO NINE (61.09) LINEAR  
FEET OF NEW BULKHEAD AND BACKFILL AN  
EXISTING BOAT BASIN LOCATED AT 800 SOUTH  
POINTE DRIVE, MIAMI BEACH, MIAMI-DADE COUNTY,  
FLORIDA

BOARD OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

NOTICE IS HEREBY GIVEN pursuant to Section 24-48 of the Code of Miami-Dade County that the Board of County Commissioners of Miami-Dade County will hold and conduct a Public Hearing on a request by TRG-Alaska I, LTD for a Class I Permit to install sixty-one point zero nine (61.09) linear feet of new bulkhead and backfill an existing boat basin located at 800 South Pointe Drive, Miami Beach, Miami-Dade County, Florida. Such Public Hearing will be held on the 20th day of January, 2005, at 9:30 am o'clock, at the County Commission Chambers on the 2nd Floor of the Stephen P. Clark Center in Miami, Florida.

Plans and details concerning the work requested in the application may be reviewed by interested persons at the office of the Miami-Dade County Department of Environmental Resources Management, 4th Floor, 33 S.W. 2nd Avenue, Miami, Florida, 33130.

Oral statements will be heard and appropriate records made. For accuracy of records all important facts and arguments should be prepared in writing in triplicate, with two

copies being submitted to the Deputy Clerk of the County Commission at the hearing or mailed to her beforehand (Kay Sullivan, Deputy Clerk), 111 N.W. 1st Street, Stephen P. Clark Center, Suite 17-202, Miami, Florida 33128; and with one copy being submitted beforehand to the Miami-Dade County Department of Environmental Resources Management, 33 S.W. 2nd Avenue, Miami, Florida, 33130.

A person who decides to appeal any decision made by any Board, Agency, or Commission with respect to any matter considered at its meeting or hearing, will need a record of proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

BOARD OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

HARVEY RUVIN, CLERK

BY: \_\_\_\_\_  
Kay Sullivan, Deputy Clerk



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** March 15, 2005

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No. 4 (K)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☒ No committee review

Approved \_\_\_\_\_ Mayor

Agenda Item No. 4(K)

Veto \_\_\_\_\_

03-15-05

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RELATING TO AN APPLICATION BY  
TRG-ALASKA I, LTD FOR A CLASS I PERMIT TO  
INSTALL SIXTY-ONE POINT ZERO NINE (61.09)  
LINEAR FEET OF NEW BULKHEAD AND BACKFILL  
AN EXISTING BOAT BASIN LOCATED AT 800 SOUTH  
POINTE DRIVE, MIAMI BEACH, MIAMI-DADE  
COUNTY, FLORIDA

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board having considered all the applicable factors contained within Section 24-48.3 (1) of the Code of Miami-Dade County, hereby approves the application of TRG-Alaska I, LTD for a Class I Permit to install sixty-one point zero nine (61.09) linear feet of new bulkhead and backfill an existing boat basin located at 800 South Pointe Drive, Miami Beach, Miami-Dade County, Florida, subject to the conditions set forth in the memorandum from the Director of the Miami-Dade County Department of Environmental Resources Management, a copy of which is attached hereto and made a part hereof. The issuance of this approval does not relieve the applicant from obtaining all applicable Federal, State, and local permits.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman  
Dennis C. Moss, Vice-Chairman

Bruno A. Barreiro  
Jose "Pepe" Diaz  
Sally A. Heyman  
Dorrin D. Rolle  
Katy Sorenson  
Sen. Javier D. Souto

Dr. Barbara Carey-Shuler  
Carlos A. Gimenez  
Barbara J. Jordan  
Natacha Seijas  
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 15<sup>th</sup> day of March, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as  
to form and legal sufficiency.

By: \_\_\_\_\_  
Deputy Clerk

Peter S. Tell


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


# Memorandum



**Date:** October 14, 2004

**To:**  Lee Hefty, Manager  
Coastal Resources  
Environmental Resources Management

**From:** Molly Messer, ERPS   
Coastal Resources  
Environmental Resources Management

**Subject:** Class I Permit application by TRG-Alaska I, Ltd to bulkhead and backfill an existing boat basin

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Pursuant to Section 24-58.2(II)(A)(7), Code of Miami-Dade County, Florida, a substantiating letter shall be submitted by the applicant stating that the proposed project does not violate any zoning laws. Said letter will be submitted pending approval by the County Commission and prior to issuance of the Class I Permit.

# **ATTACHMENT A**

Class I Permit Application

Owner's Authorization Statement Letter

DEPARTMENT OF  
ENVIRONMENTAL  
RESOURCES MANAGEMENT

Class I  
Permit Application

1. Application number  CC 03-394	2. Date Day/Month/Year  11-30-2004	3. For official use only
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4. Applicant Information: Name <u>TRG-Alaska I, Ltd.</u> Address <u>1688 Meridian Avenue, Suite 200</u> Miami Beach, Florida      Zip Code <u>33139</u> Phone # <u>(305) 674-8310</u> Fax # <u>(305) 604-8014</u>	5. Applicant's authorized permit agent Name <u>Kevin M. McCabe, PE, President, EDC Corporation</u> Address <u>2455 SW 27<sup>th</sup> Avenue, Suite 300</u> Miami, Florida      Zip Code <u>33145</u> Phone # <u>(305) 858-8100</u> Fax # <u>(305) 858-4760</u>
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6. Describe the proposed activity, its purpose and intended use including a description of the type of structures, if any to be erected on fills, or pipe or float supported platforms, and the type, composition and quantity of materials to be discharged or dumped and means of conveyance.

Installation of 61.09 linear feet of bulkhead and backfill existing boat basin.

Dredged/Excavated		Filled/Deposited	
Volume of Material: <u>N/A</u> CY		<u>2260</u> CY	
<small>Waterward of O.H.W. or M.H.W.</small>	<small>Landward of O.H.W. or M.H.W.</small>	<small>Waterward of O.H.W. or M.H.W.</small>	<small>Landward of O.H.W. or M.H.W.</small>

7. Proposed Use: (Check One)

☐ Private

☒ Public

☐ Commercial

☐ Other

8. Names and addresses of adjoining property owners whose property also adjoins the waterway.

Name <u>Murano at Portofino</u> Address <u>1000 South Pointe Drive</u> Miami Beach, Florida      Zip Code <u>33139</u>	Name <u>City of Miami Beach ROW</u> Address <u>Washington Ave</u> Miami Beach, FL      Zip Code <u>33139</u>
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9. Location where proposed activity exists or will occur.

Street Address Corner of Washington Ave and South Point Drive      Latitude 25d 46' 9.649N" Longitude 80d 8' 7.858N"

Section 53 Township 42 Range 3

State Florida County Miami - Dade In City or Town Miami Beach Near City Or Town \_\_\_\_\_

10. Name of waterway at location of the activity.

Biscayne Bay

## 11. Date activity is proposed to:

Commence Upon Permit IssuanceBe completed 4 months after permit issuance

## 12. Is any portion of this activity for which authorization is sought now complete?

☐ Yes☒ No

If answer is "yes", give reasons in the remarks section. Indicate the existing work on the drawings.

Month and Year the activity was completed \_\_\_\_\_

## 13. List all approvals or certifications required by other Federal, state or local agencies for any structures, construction, discharges, deposits or other activities described in this application, including whether the project is a Development of Regional Impacts.

Issuing Agency	Type of Approval	Identification Number	Date of Application	Date of Approval
SFWMD	ERP	Pending	Complete as of January 30, 2004	
Corps	Nationwide	Processing	10-27-2003	
DERM	Class I	Processing	10-27-2003	

## 14. Has any other agency denied approval for any activity directly related to the activity described herein?

☐ Yes☒ No

## 15. Remarks

## 16. Estimated project cost = Please See Attached Sheet

## 17. Contractor's name and address

Name TBA License # \_\_\_\_\_

Address \_\_\_\_\_

Zip Code \_\_\_\_\_

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_

## 19. To obtain proprietary authorization for work on state-owned submerged lands, please include an additional copy of the following:

- ☐ 8 1/2 x 11 Location Map  
☐ 8 1/2, x 11 Project Drawing  
☐ Copy of Application

18. Application is hereby made for a permit or permit(s) to authorize the activities described herein. I agree to provide any additional information/data that may be necessary to provide reasonable assurance or evidence to show that the proposed project will comply with the applicable State Water Quality Standards or other environmental protection standards both during construction and after the project is completed. I also agree to provide entry to the project site for inspectors from the environmental protection agencies for the purpose of making the preliminary analyses of the site and monitoring permitted works, if permit is granted. I certify that I am familiar with the information contained in this application and that to the best of my knowledge and belief, such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities.

Signature of owner Joyce Bronson  
 Ms. Joyce Bronson, Vice President of TRG-Alaska I Inc., as General Partner of TRG-Alaska I Ltd.

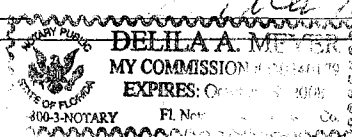
Date 11-30-2004SUBSCRIBED AND SWORN TO ME THIS 30<sup>th</sup> DAY OF November 20 04 BY Joyce Bronson

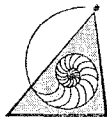
XX PERSONALLY

☐ PRODUCED IDENTIFICATION (PLEASE CHECK ONE)

TYPE OF ID PRODUCED \_\_\_\_\_

NOTARY PUBLIC





**EDC Corp.**

2455 SW 27<sup>th</sup> Avenue, Suite 300  
Miami, FL 33145

**Environmental Development Consultants Corporation**

305.858.8100 PH • 305.858.4760 FAX

November 30, 2004

Job No. 14301

*\*Revised*

Ms. Molly Messer  
Miami-Dade County DERM  
Coastal Permitting Section  
33 SW 2<sup>nd</sup> Ave, Suite 400  
Miami, Florida 33130-1540

**RE: Class I Standard Form Permit Application Number CC 03-394  
Installation of 61.09 linear feet of bulkhead and backfill existing boat basin  
800 South Point Drive, Miami Beach, Florida 33139**

*Sent via facsimile and US Mail*

Ladies and Gentlemen:

By the attached Class I Standard Form permit application with supporting documents, we, EDC Corporation on behalf of *TRG-Alaska I, Ltd.*, are the authorized agent for the permit applicant and hereby request permission *to install 61.09 linear feet of bulkhead and backfill existing boat basin. The basin is located at 800 South Pointe Drive, Miami Beach, Florida.* We understand that a Miami-Dade County Class I Standard Form Permit is required to perform this work.

If approval is granted for the proposed work by the Board of County Commissioners, complete and detailed plans and calculations of the proposed work shall be prepared by an engineer registered in the State of Florida in accordance with the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida, and the Miami-Dade County Public Works Manual. Said plans and calculations shall be subject to the review and approval of the Department of Environmental Resources Management. The permit applicant will secure the services of an engineer registered in the State of Florida to conduct inspections throughout the construction period, and said engineer shall prepare all required drawings of record.

Respectfully submitted,  
**EDC Corporation**

Kevin M. McCabe, P.E.  
President, FL Reg #36841

**RECEIVED**  
NOV 30 2004  
DERM  
NATURAL RESOURCES DIV

# **ATTACHMENT B**

Affidavit of Ownership

Corporate Information

## Affidavit of Owner and Hold Harmless Agreement

Personally Appeared Before Me, TRG-Alaska I Ltd., that undersigned authority, and hereby swears and affirms under oath as follows:

1. That your affiant is the record owner or the lessee of that certain property\* more fully described as:

*See Attached Trustee's Deed*

\* may attach legal description from public records or plat book or a copy of the warranty deed

2. That your affiant is also the riparian and/or littoral owner or lessee of that certain property that is the subject matter of Application No. CC 03-394 for a Class I permit under and pursuant to Section 24-48 of the Code of Miami-Dade County to construct or engage in the following activity:

*Installation of 61.09 linear feet of bulkhead and backfill existing boat basin.*

3. That your affiant hereby swears and affirms its ownership or leasehold in the above noted property necessary for the work noted in Paragraph 2 above, and hereby agrees to: defend same and hold the County harmless from any and all liability, claims and damages of any nature whatsoever occurring, including or arising as a result of your affiant not having proper title to all lands or proper leasehold to all lands that are the subject matter of this application.

STATE OF FLORIDA  
COUNTY OF DADE

**RECEIVED**  
DEC 23 2004  
DERM  
NATURAL RESOURCES DIV

*Joyce Bronson*  
Ms. Joyce Bronson, Vice President  
of TRG-Alaska I Inc., as General Partner of  
TRG-Alaska I Ltd.

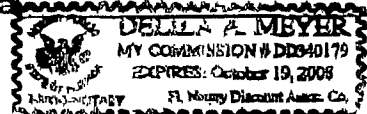
BEFORE ME, the undersigned authority, personally appeared Joyce Bronson, who, after being duly sworn, deposes and says that she has read the foregoing, and that the statements contained therein are true and correct to the best of his/her knowledge and belief.

Sworn to and subscribed before me this 22 day of December, 2004.

Notary Signature

*Della A. Meyer*

Notary Seal



CFN 2003R0677155  
DR Bk 21638 Pgs 2962 - 2967 (6pgs)  
RECORDED 09/12/2003 16:13:17  
HARVEY RUVIN, CLERK OF COURT  
MIAMI-DADE COUNTY, FLORIDA

This instrument prepared by and under the supervision of  
and after recording return to:

Name: Laura Riso Gangemi, Esq.  
Address: Greenberg Traurig, P.A.  
1221 Brickell Avenue  
Miami, Florida 33131

Parcel ID Nos.: 02-4210-000-0041

*Alaska*

RECEIVED  
FEB 26 2004  
DERM  
NATURAL RESOURCES DIV

(Space Reserved for Clerk of the Court)

### TRUSTEE'S DEED

THIS INDENTURE, made this 11 day of September, 2003, between CITY NATIONAL BANK OF FLORIDA, Miami, Florida, a national banking corporation organized under the laws of the United States, and duly authorized to accept and execute trusts within the State of Florida, as Trustee under the provisions of a certain Trust Agreement, dated the 25<sup>th</sup> day of July, 2003, and known as Trust No. 2401-1370-00 ("Grantor"), and TRG-ALASKA I, LTD., a Florida limited partnership ("Grantee"), whose address is 2828 Coral Way, Penthouse Suite, Miami, Florida 33145:

#### WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration in hand paid by Grantee, the receipt whereof is hereby acknowledged, hereby remises, releases, and quit claims unto the Grantee, and its successors and assigns forever, all the estate, right, title, lien, equity, interest, claim and demand which the Grantor has in and to the following described lots, pieces, or parcels of land, situate, lying and being in the County of Miami-Dade, State of Florida (the "Property"), to wit:

See Exhibit "A" attached hereto and made a part hereof.

NOTE TO RECORDER AND TAX EXAMINER: THIS INSTRUMENT REPRESENTS A CONVEYANCE OF REAL ESTATE FROM A TRUSTEE TO THE SOLE BENEFICIARY OF THE TRUST, WITHOUT ANY CHANGE IN BENEFICIAL OWNERSHIP, AND IS EXEMPT FROM STATE OF FLORIDA DOCUMENTARY STAMP TAX PURSUANT TO RULE 12B-4.013 (32)(A) FLORIDA ADMINISTRATIVE CODE.



TO HAVE AND TO HOLD the same together with all singular and appurtenances thereunto belonging or in anywise appertaining, and all the estate, right title, lien, interest and claim whatsoever of the Grantor, in law or equity, to the proper use and benefit of the part of the second part, its successors and assigns forever, SUBJECT, HOWEVER, TO:

See Exhibit "B" attached hereto and made a part hereof

AND Grantor does hereby specially warrant the title to the Property, subject to the foregoing matters, and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.


IN WITNESS WHEREOF, the Grantor has caused these presents to be signed in its name by its Executive Vice President and Trust Officer and its corporate seal to be affixed the day and year above written.

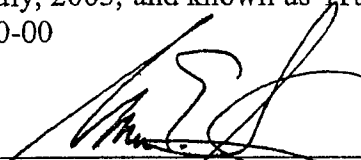
Witnesses:

CITY NATIONAL BANK OF FLORIDA EXECUTES THIS INSTRUMENT SOLELY AS TRUSTEE UNDER LAND TRUST NO. 2401-1370-00 AND NOT INDIVIDUALLY AND NO PERSONAL JUDGEMENT OR DECREE SHALL EVER BE SOUGHT OR OBTAINED AGAINST THE SAID BANK BY REASON OF THIS INSTRUMENT.

CITY NATIONAL BANK OF FLORIDA, Miami, Florida, a national banking corporation organized under the laws of the United States, and duly authorized to accept and execute trusts within the State of Florida, as Trustee under the provisions of a certain Trust Agreement, dated the 25<sup>th</sup> day of July, 2003, and known as Trust No. 2401-1370-00

  
Name: Gisela Musa

  
Name: CHARLES TORRES

By:   
Name: William E. Shockett  
Title: Executive Vice President and Trust Officer

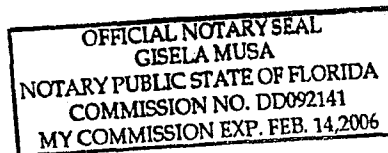
Address:  
25 West Flagler Street, 5th Floor  
Miami, Florida 33130

STATE OF FLORIDA                    )  
  ) SS:  
COUNTY OF MIAMI-DADE            )

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of September, 2003 by William E. Shockett, as Executive Vice President and Trust Officer of CITY NATIONAL BANK OF FLORIDA, Miami, Florida, a national banking corporation organized under the laws of the United States, and duly authorized to accept and execute trusts within the State of Florida, as Trustee under the provisions of a certain Trust Agreement, dated the 25<sup>th</sup> day of July, 2003, and known as Trust No. 2401-1370-00, who personally appeared before me, is personally known to me or has produced personally appeared as identification.  
Fla. license # SA30-925-89-368-0

My Commission Expires:

G. Musa  
NOTARY PUBLIC, State of Florida



## JOINDER

The undersigned, TRG-ALASKA I, LTD., a Florida limited partnership ("ALASKA I"), as the beneficiary of the Grantor, hereby joins in the foregoing Deed for the purpose of specially warranting the title to the Property, subject to the matters set forth in the Deed, and Alaska I hereby agrees to defend the same against the lawful claims of all persons claiming by, through or under Alaska I, but against none other.

TRG-ALASKA I, LTD., a Florida limited partnership

By: TRG-ALASKA I, INC., a Florida corporation, its general partner

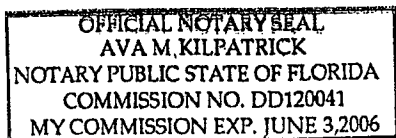
By: Matthew J. Allen  
Name: Matthew J. Allen  
Title: Vice President

STATE OF FLORIDA                    )  
  ) SS:  
COUNTY OF MIAMI-DADE         )

The foregoing instrument was acknowledged before me this 11 day of September, 2003 by Matthew J. Allen, as Vice Pres on behalf of TRG-Alaska I, Inc., a Florida corporation, as general partner on behalf of TRG-Alaska I, Ltd., a Florida limited partnership. He/she personally appeared before me, is personally known to me or has produced \_\_\_\_\_ as identification.

My Commission Expires:

Ava M. Kilpatrick  
NOTARY PUBLIC, State of Florida



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**Parcel 2**

Parcel of Land and accreted land located in Section 10, Township 54 South, Range 42 East, Miami-Dade County, Florida and being more particularly described as follows:

For a point of beginning commence at a 10-inch-square concrete monument located on the northerly boundary of the U.S. Army Corps of Engineers Reservation being the westernmost corner of Lot 6, Block 4, of SOUTH BEACH PARK SUBDIVISION, recorded in Plat Book 6, at Page 77, of the Public Records of Miami-Dade County, said monument designated "C" having a grid coordinate of X-784,440.39 and Y-521,912.47. Said monument also lies approximately South 24 degrees 27 minutes 26 seconds West a distance of 592.30 feet South of and North 65 degrees 36 minutes 16 seconds East a distance of 554.97 feet West of the Northeast corner of the Northwest 1/4 of Section 10, Township 54 South, Range 42 East. From said point of beginning, run thence South 24 degrees 25 minutes 50 seconds West a distance of 420.43 feet, more or less, to the Mean High Water (M.H.W.) line of the Northerly shoreline of the "Government Cut" for the entrance channel of the Miami Harbor; thence North 65 degrees 35 minutes 19 seconds West along said M.H.W. line a distance of 261.59 feet to a point on a bulkhead; thence North 31 degrees 08 minutes 28 seconds West along said bulkhead a distance of 242.83 feet to U.S. Army Corps of Engineers Monument "Virgil" having a grid coordinate of X-783,902.72 and Y-521,845.63; thence North 57 degrees 41 minutes 41 seconds East a distance of 226.20 feet to Monument "West" having a grid coordinate of X-784,093.91 and Y-521,966.52; thence North 87 degrees 38 minutes 37 seconds East a distance of 208.58 feet to Monument "G" having a grid coordinate of X-784,302.32 and Y-521,975.14; thence South 65 degrees 35 minutes 12 seconds East a distance of 151.63 feet to Monument "C" and the Point of Beginning.

**EXHIBIT "B"**  
**PERMITTED EXCEPTIONS**

**EXHIBIT "B"**

1. All conditions, restrictions, easements and covenants of record, without the intent to reimpose same.
2. Taxes for 2003 and subsequent years.
3. Matters that may be disclosed by an accurate survey and inspection of the premises

ALL RECORDING REFERENCES ARE TO THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

## My Home

miamidade.gov

ACTIVE TOOLS SELECT



N

## Show Me:

Property Information ☐

## Search By:

Select Item ☐☐ Text only version

## Summary Details:

Folio No.:	02-4210-000-0041
Property:	50 S WASHINGTON AVE
Mailing Address:	EAST COASTLINE DEVELOPMENT LTD % MARGARET NEE 500 SOUTH POINTE DR UNIT #220 MIAMI BEACH FL 33139-7317

## Property Information:

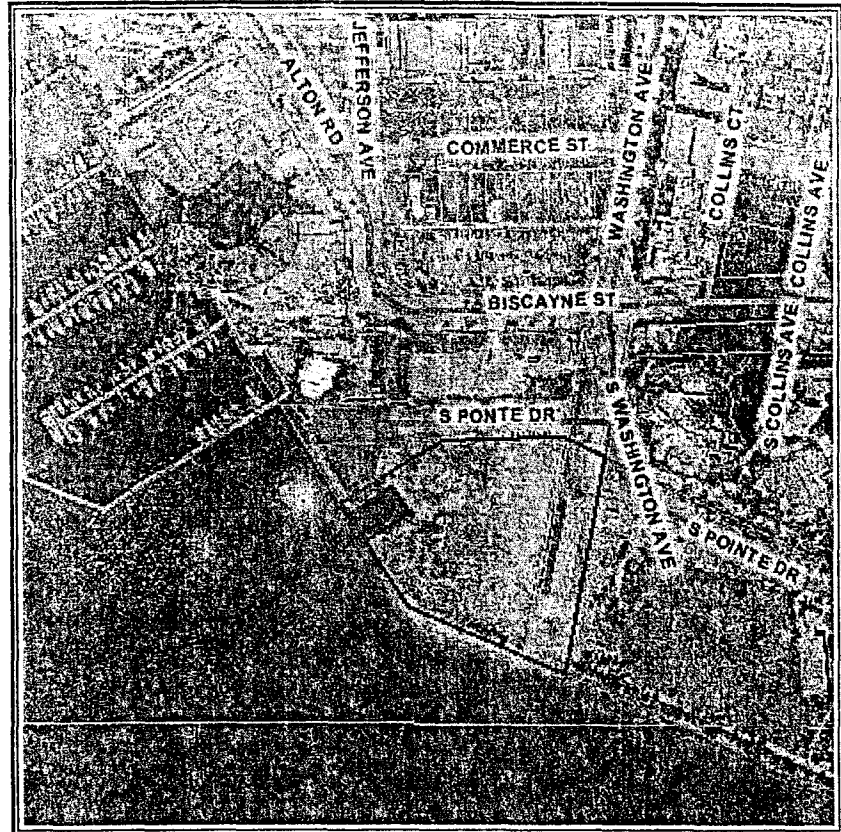
Primary Zone:	9700 MARINE RECREATION
CLUC:	0066 EXTRA FEATURE OTHER THAN PARKING
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	148,104 SQ FT
Year Built:	0
Legal Description:	10 54 32 3.40 AC M/L BEG W/MOST COR LOT 6 BLK 4 PB 6- 77 S 24 DEG W420.43FT N 65 DEG W 261.59FT N 31 DEG W242.83FT N 57 DEG E226.20FT E208.58FT SELY 151.63FT TO POB

## Sale Information:

Sale O/R:	16351-0602
Sale Date:	5/1994
Sale Amount:	\$6,000,000

## Assessment Information:

Year:	2003	2002
Land Value:	\$1,183,248	\$1,179,240
Building Value:	\$1,000	\$1,000
Market Value:	\$1,184,248	\$1,180,240
Assessed Value:	\$1,184,248	\$1,180,240
Total Exemptions:	\$0	\$0
Taxable Value:	\$1,184,248	\$1,180,240



Digital Orthophotography - March 2001

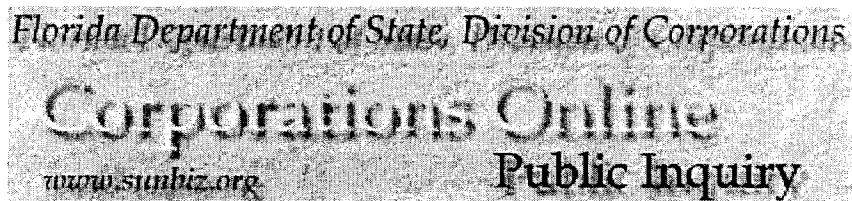
0 158 ft

We appreciate your feedback, please take a minute to complete our [survey](#).
[My Home](#) | [Property Information](#) | [Property Taxes](#) | [My Neighborhood](#) | [Property Appraiser](#)
[Home](#) | [Using Our Site](#) | [About](#) | [Phone Directory](#) | [Privacy](#) | [Disclaimer](#)

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E-mail your comments, questions and suggestions to [Webmaster](#)

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## Florida Limited Partnership

**TRG - ALASKA I, LTD.**

---

### PRINCIPAL ADDRESS

2828 CORAL WAY, PENTHOUSE SUITE  
MIAMI FL 33145

---

### MAILING ADDRESS

2828 CORAL WAY, PENTHOUSE SUITE  
MIAMI FL 33145

**Document Number**  
A03000001261

**FEI Number**  
200359738

**Date Filed**  
09/02/2003

**State**  
FL

**Status**  
ACTIVE

**Effective Date**  
NONE

**Actual Contribution**  
99.90

---

## Registered Agent

Name & Address
HERNANDEZ, ANGEL A 2828 CORAL WAY, PENTHOUSE SUITE MIAMI FL 33145

---

## General Partner Detail

Name & Address	Document Number
TRG - ALASKA I, INC. 2828 CORAL WAY, PENTHOUSE SUITE MIAMI FL 33145	P03000095507

---

## Annual Reports

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23

Report Year	Filed Date
2004	03/24/2004

[Previous Filing](#)[Return to List](#)[Next Filing](#)

No Events  
No Name History Information

### Document Images

Listed below are the images available for this filing.

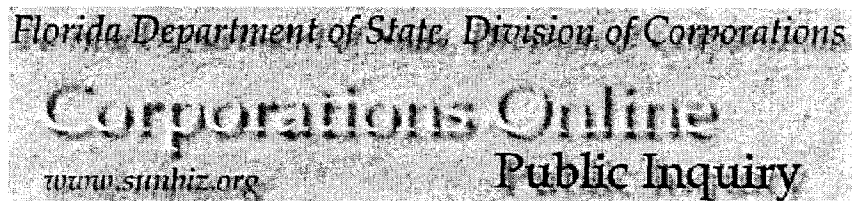
[03/24/2004 -- ANN REP/UNIFORM BUS REP](#)  
[09/02/2003 -- Domestic LP](#)

**THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT**

[Corporations Inquiry](#)[Corporations Help](#)

24





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**Florida Profit****TRG - ALASKA I, INC.**

---

**PRINCIPAL ADDRESS**

2828 CORAL WAY  
PENTHOUSE SUITE  
MIAMI FL 33145

---

**MAILING ADDRESS**

2828 CORAL WAY  
PENTHOUSE SUITE  
MIAMI FL 33145

---

**Document Number**  
P03000095507

**FEI Number**  
753132551

**Date Filed**  
09/02/2003

**State**  
FL

**Status**  
ACTIVE

**Effective Date**  
NONE

---

**Registered Agent**

Name & Address
HERNANDEZ, ANGEL A 2828 CORAL WAY PENTHOUSE SUITE MIAMI FL 33145

---

**Officer/Director Detail**

Name & Address	Title
PEREZ, JORGE M 2828 CORAL WAY MIAMI FL 33145	DPT
HERNANDEZ, ANGEL 2828 CORAL WAY MIAMI FL 33145	VS
ALLEN, MATT 2828 CORAL WAY MIAMI FL 33145	V

25

BRONSON, JOYCE 2828 CORAL WAY  MIAMI FL 33145	V
--	---

---

## Annual Reports

Report Year	Filed Date
2004	03/24/2004

---

[Previous Filing](#)[Return to List](#)[Next Filing](#)

No Events  
No Name History Information

---

## Document Images

Listed below are the images available for this filing.

<a href="#">03/24/2004 -- ANN REP/UNIFORM BUS REP</a> <a href="#">09/02/2003 -- Domestic Profit</a>
--

**THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT**

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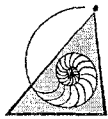
[Corporations Inquiry](#)[Corporations Help](#)

26

# **ATTACHMENT C**

Engineer Certification Letter

Project Sketches



**EDC Corp.**

**Environmental Development Consultants Corporation**

2455 SW 27<sup>th</sup> Avenue, Suite 300  
Miami, FL 33145

305.858.8100 PH • 305.858.4760 FAX

November 30, 2004

Job No. 14301

*\*Revised*

Ms. Molly Messer  
Miami-Dade County DERM  
Coastal Permitting Section  
33 SW 2<sup>nd</sup> Ave, Suite 300  
Miami, Florida 33130-1540

**RE: Class I Standard Form Permit Application Number CC 03-394  
Installation of 61.09 linear feet of bulkhead and backfill existing boat basin  
800 South Point Drive, Miami Beach, Florida 33139**

*Sent via facsimile and US Mail*

Ladies and Gentlemen:

This letter will certify that I am an engineer registered in the State of Florida, qualified by education and experience in the area of construction, and that to the best of my knowledge and belief, the proposed work does not violate any laws of the State of Florida or any provision of the Code of Miami Dade County which may not be applicable, that diligence and recognized standard practices of the engineering professional have been exercised in the engineers design process for the proposed work, and in my opinion based upon my knowledge and belief, the following will not occur:

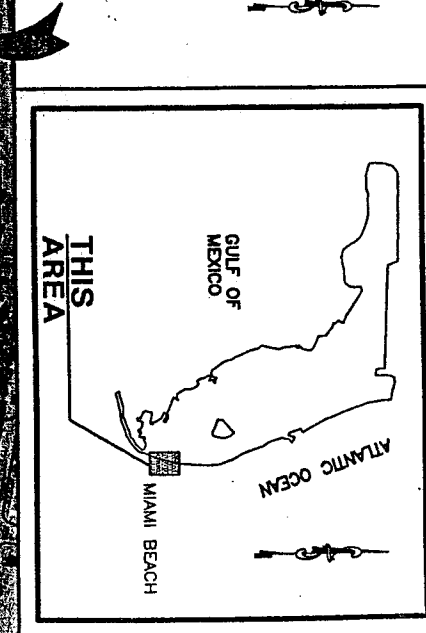
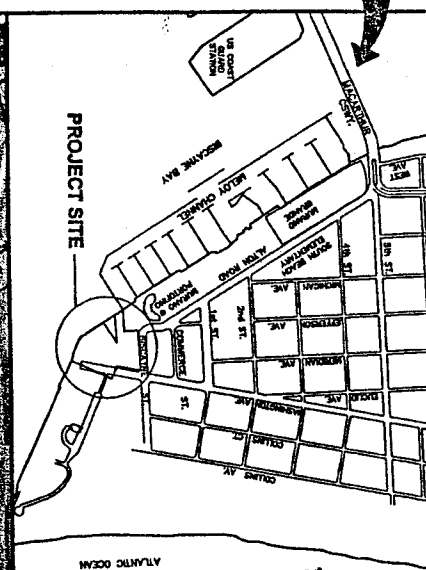
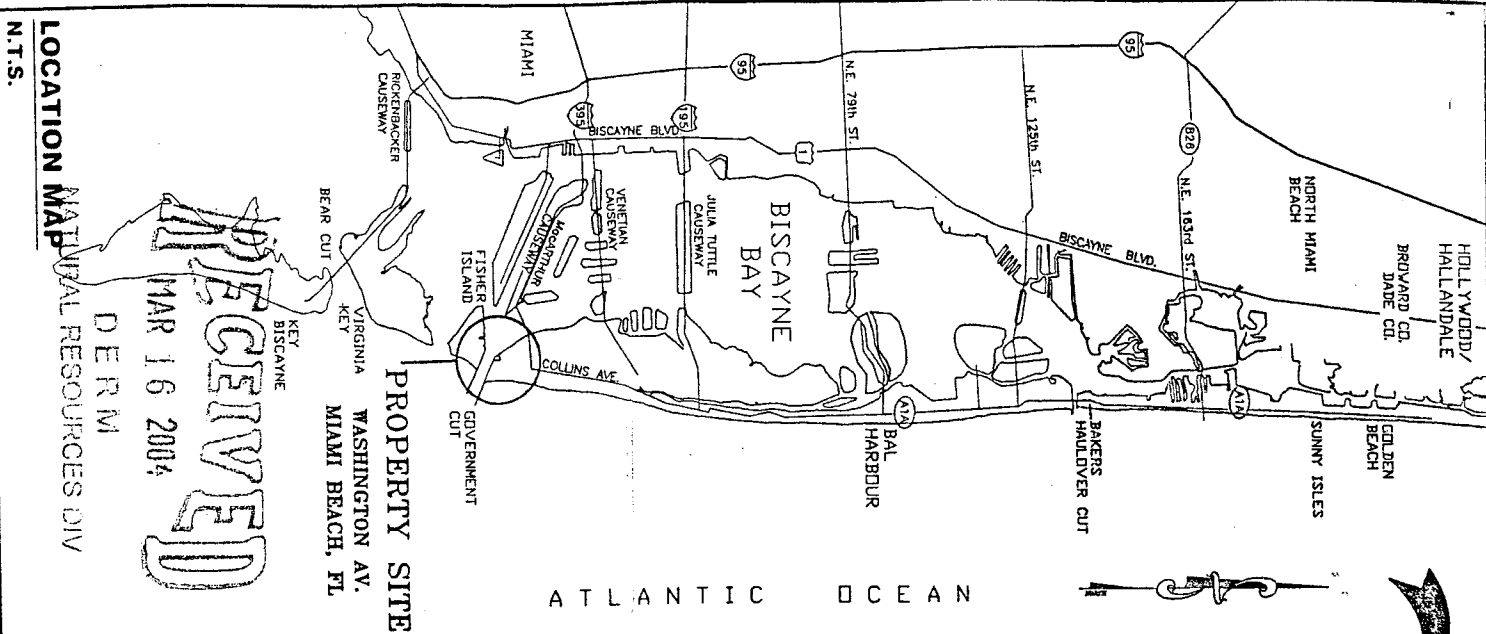
- a) Harmful obstruction or undesirable alteration of the natural flow of the water within the area of the proposed work.
- b) Harmful or increase erosion, shoaling of channels or stagnant areas of water.
- c) Material injury to adjacent properties

Further, I have been retained by the applicant to provide inspections throughout the construction period and shall prepare a set of reproducible record prints of drawings showing changes made during the construction process based upon the marked-up prints, drawings, and other data furnished by the contractor to me.

Very Truly Yours,  
EDC Corporation

Kevin M. McCabe, P.E.  
President, FL Reg #36841

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NOV 30 2004  
DERM  
NATURAL RESOURCES DIV



**RECEIVED**  
MAR 16 2004  
DERM  
NATURAL RESOURCES DIV  
N.T.S.

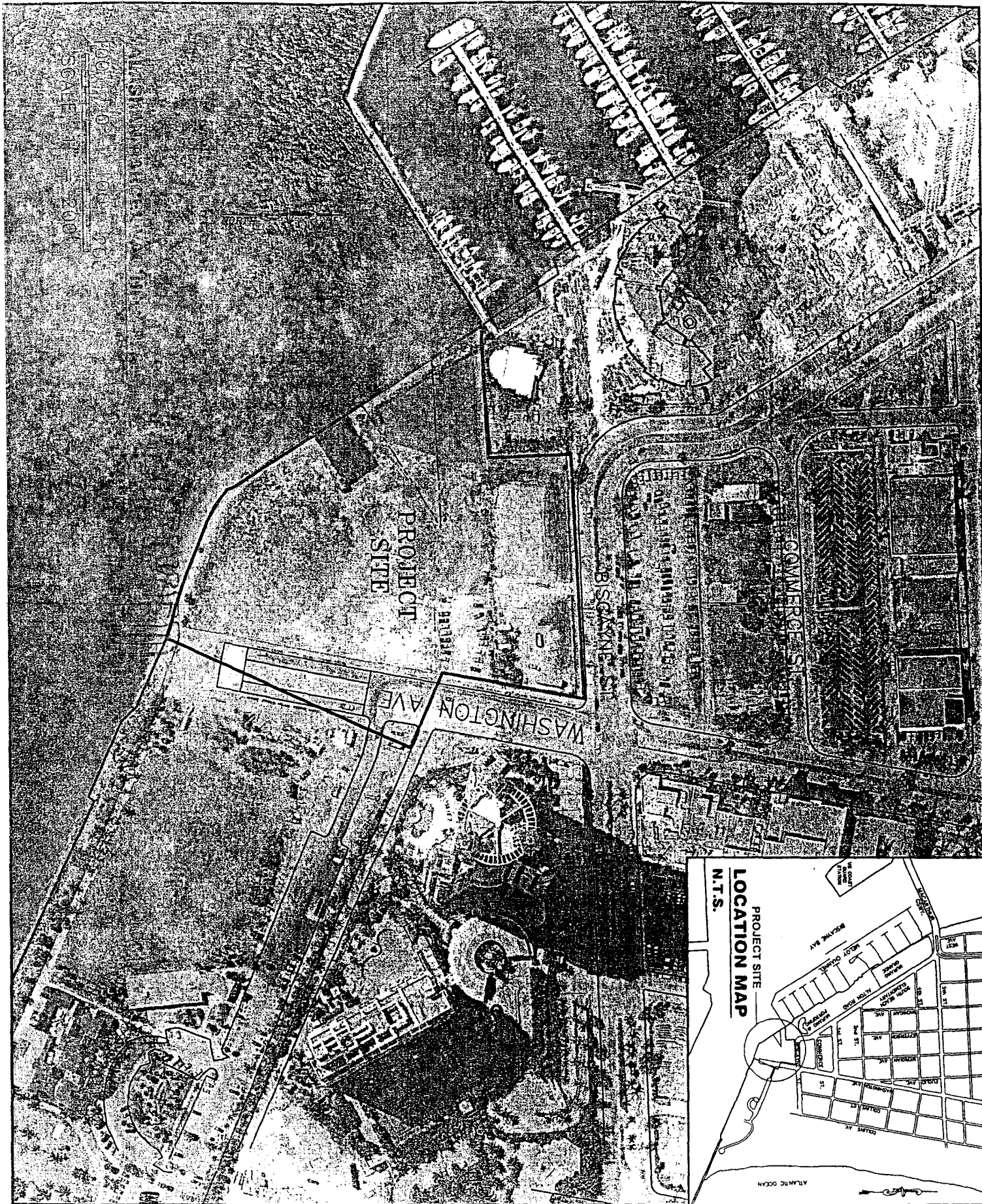
**ALASKAN PARCEL SEAWALL RESTORATION**  
WASHINGTON AVENUE  
MIAMI BEACH, FL 33139  
LOCATION MAP

2465 SW 27th Ave, Suite 100  
Miami, FL 33145  
Tel: 305-444-1210  
Fax: 305-444-1210  
Email: moffett@edc-corp.com  
Kevin M. McCabe  
FL P.E. Reg. No. 38341  
FL E.R. Reg. No. 7552

DATE: 03-04-04  
SCALE: AS SHOWN  
DRAWN: IR  
JOB: 14301  
DATUM: N.G.V.D.

1 of 5 sheets

EDC CORP.  
Environment Development Consultant



MAR 16 2004

# ALASKAN PARCEL SEAWALL RESTORATION

WASHINGTON AVENUE  
MIAMI BEACH, FL 33139

VICINITY PLAN

30

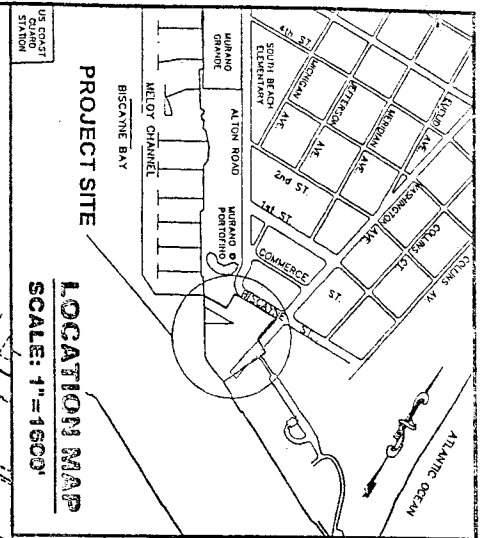


EDC  
CORP.  
Environment  
Development  
Consultants

2435 SW 27th Ave, Suite 1  
Tel: 305-658-8100  
Fax: 305-658-4760  
Email: mclauds@edc-corp.com  
Kevin M. McClellan  
P.E. Reg. No. 356,793  
FL. EIR. Reg. No. 7325

DATE: 03-04-04  
SCALE: AS SHOWN  
DRAWN: RR  
JOB: 14301  
DATUM: NGVD





**NOTES:**

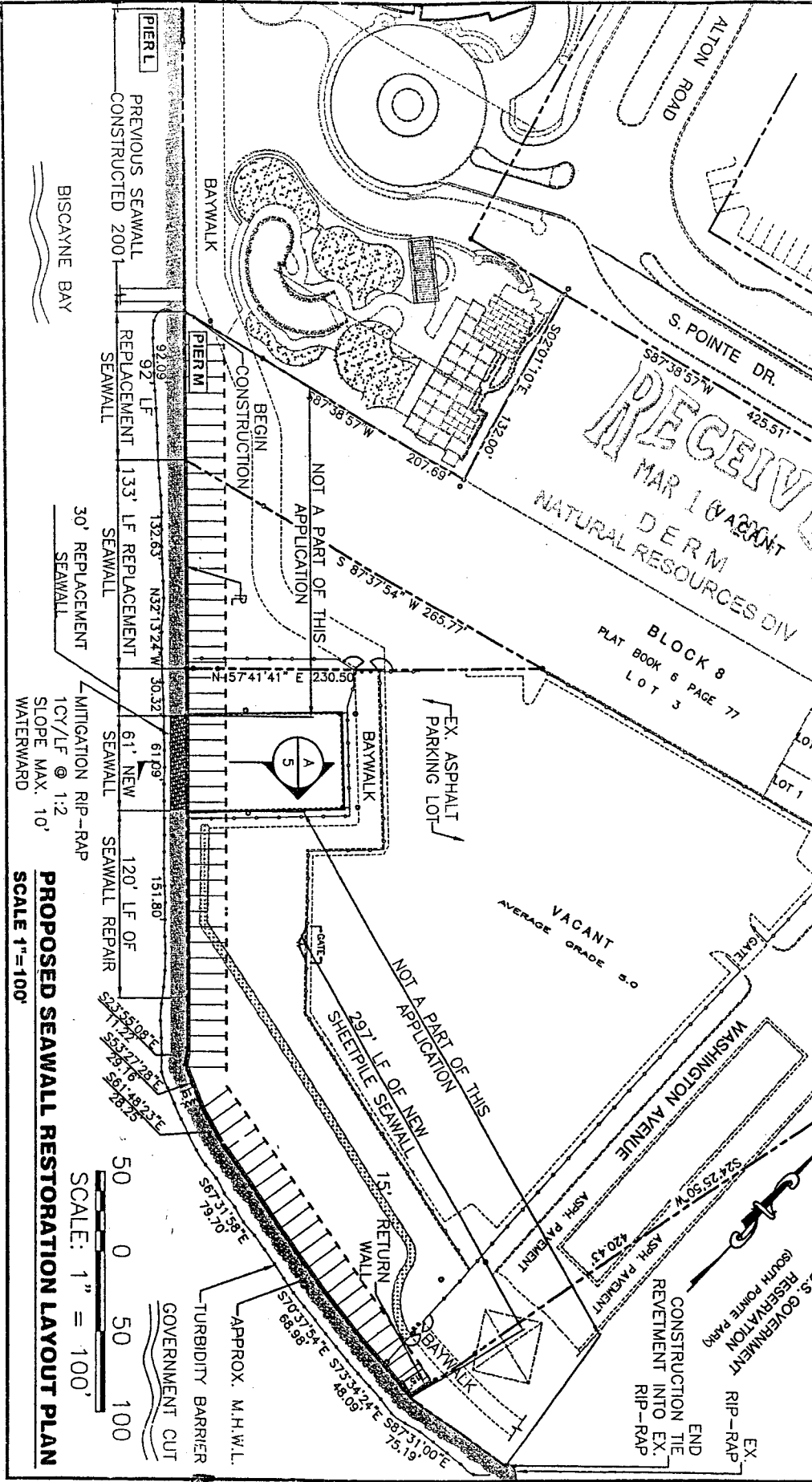
- 1-CONTRACTOR SHALL BE RESPONSIBLE FOR IDENTIFYING THE LOCATIONS OF ANY SUBMERGED UTILITIES WITHIN THE PROJECT VICINITY.
- 2-THE CONTRACTOR SHALL PREPARE AND SUBMIT SHOP DRAWINGS FOR ALL ITEMS NOTED AND SHALL NOT PROCEED WITH MANUFACTURE OF THESE ITEMS PRIOR TO RECEIVING APPROVAL OF THE ENGINEER.
- 3-SILT BARRIERS SHALL BE INSTALLED AROUND ALL OPERATIONS. ALL FLOODING SILT BARRIERS SHALL REMAIN IN PLACE UNTIL TURBIDITY LEVELS FALL WITHIN STATE AND COUNTY STANDARDS ABOVE BACKGROUND. IF TURBIDITY LEVELS EXCEED PERMITTED LEVELS, THE CONSTRUCTION SHALL BE HALTED. CONSTRUCTION HAS IMPLEMENTED ADDITIONAL CONTROL METHODS.
- 4-THE CONTRACTOR WILL PAY FOR CAST-IN-PLACE CONCRETE TESTING AND PILE LOG INSPECTIONS AND REPORTS.

**GENERAL STRUCTURAL NOTES:**

- 1-GENERAL SPECIFICATIONS, FLORIDA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR THE ROAD AND BRIDGE CONSTRUCTION (LATEST EDITION) WITH THE SUPPLEMENTS AND FLORIDA BUILDING CODE.
- 2-CONCRETE, CONCRETE TO REACH MINIMUM 4,000psi @ 28 DAYS.
- 3-ENVIRONMENT: CORROSIVE (EXTREMELY AGGRESSIVE).

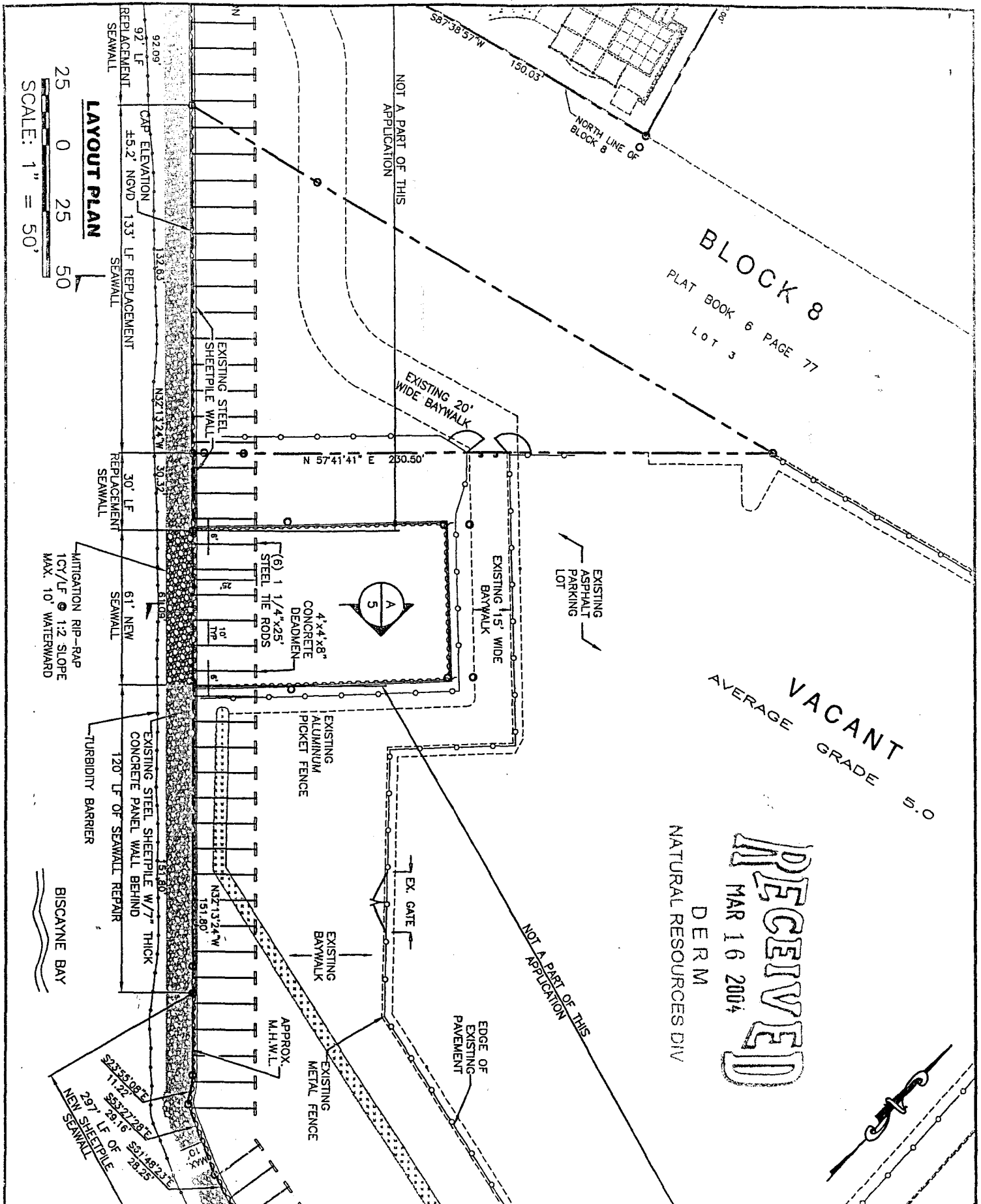
- 4-PROVIDE 3" CHAMFER OF ALL EXPOSED EDGES AND CORNERS EXCEPT AS OTHERWISE NOTED.
- 5-CONSTRUCTION JOINTS WILL BE PERMITTED ONLY AT THE LOCATION INDICATED ON THE PLANS. ADDITIONAL JOINTS WILL BE PERMITTED AT THOSE SHOWN WILL REQUIRE APPROVAL BY THE ENGINEER.
- 6-REINFORCEMENT SHALL BE ASTM A615, GRADE 60 REINFORCING ARE TO CENTER LINE OF BARS EXCEPT WHERE THE CLEAR DIMENSIONS SHOWN TO FACE OF CONCRETE.
- 7-ALL DIMENSIONS PERTAINING TO LOCATION OF REINFORCEMENT DETAIL DIMENSIONS ARE OUT-TO-OUT OF BARS.
- 8-REINFORCEMENT DETAIL DIMENSIONS ARE OUT-TO-OUT OF BARS.
- 9-MINIMUM CONCRETE COVER, COVER FOR REINFORCING STEEL SHOWN IN THE PLAN AND DETAILS WILL PRODUCE THE FOLLOWING MINIMUM CLEARANCE BASED ON PLACEMENT AND FABRICATION TOLERANCES SHOWN BELOW:  
CAP: 3" MINIMUM  
SPECIFICATIONS, FOR FABRICATION TOLERANCES SEE CSI MANUAL OF STANDARD PRACTICE.
- 10-FOR PLACEMENT TOLERANCES SEE STANDARD SPECIFICATIONS, FOR FABRICATION TOLERANCES SEE CSI MANUAL OF STANDARD PRACTICE.
- 11-SHEET PILING: A213
- 12-CONFORM TO ASTM A572 AND ASTM A582, GRADE 2 STEEL SURFACES OF PILE CAP, BEAMS AND DIVERSIONS, SHALL BE COATED WITH AN ACRYLIC COATING (ACRIL COAT AND THOROSOL BY THORO PRODUCTS; NO SUBSTITUTES).
- 13-UNLESS OTHERWISE NOTED, SLEEVE ALL PIPES THROUGH CAST-IN-PLACE CONCRETE.

- 14-REFERENCE SHALL BE MADE TO THE MECHANICAL AND ELECTRICAL DRAWINGS FOR LOCATIONS, SIZE AND DETAILS OF OPENINGS, RECESSES, PROJECTIONS, BEVELS, PROFILES, INSERTS, STEVES, CONDUIT, PIPING, SLOTS, ETC. THAT ARE REQUIRED TO BE LOCATED AND IN PLACE BEFORE PLACING CONCRETE.
- 15-MAJOR OPENINGS ARE SHOWN ON THE STRUCTURAL DRAWINGS. MINOR OPENINGS MAY NOT BE SHOWN ON THE STRUCTURAL DRAWINGS. THESE MINOR OPENINGS WILL GENERALLY REQUIRE A SLIGHT RE-SPACING OF RE-BARS IN THE IMMEDIATE VICINITY. REFERENCE SHALL BE MADE TO THE MECHANICAL AND ELECTRICAL DRAWINGS FOR SIZES AND LOCATIONS OF OPENINGS AND STEVES.
- 16-BACKFILL: CLEAN GRANULAR MATERIAL COMPACTED TO 95% MAXIMUM DENSITY PER ASTM D-1557.
- 17-ALL LUMBER BOLLARDS SHALL CONSIST OF 18" TO 36" DIAMETER STONES. INDIVIDUAL PIECES SHALL BE ROUGHLY ANGULAR AND SHALL BE REASONABLY FREE OF THIN, FLAT, ELONGATED PIECES.
- 18-FILTER FABRIC SHALL BE A MEDIUM WOVEN GEOTEXTILE FABRIC TYPE 1199 OR APPROVED EQUAL. CLOTH SHALL BE LAID UNIFORM AND SMOOTHLY OVER SHAPED BANK FROM TOP BACK TO TOE. MANUFACTURER'S INSTALLATION INSTRUCTIONS FOR GEOTEXTILE FABRIC LAYS SHALL BE FOLLOWED. THE FABRIC SHALL BE STAPLED TO THE TOE AND BACK RESPECTIVELY A MINIMUM OF 18" INCHES.
- 19-UNLESS OTHERWISE NOTED, SLEEVE ALL PIPES THROUGH CAST-IN-PLACE CONCRETE.



**ALASKAN PARCEL SEAWALL RESTORATION**  
WASHINGTON AVENUE  
MIAMI BEACH, FL 33139  
MASTER SITE PLAN

**EDC CONSULTANTS**  
2450 SW 27th AV., SUITE 200  
MIAMI, FL 33145  
Tel: 305-658-4700  
Fax: 305-658-4700  
Email: info@edc-consultants.com  
R. P. Reg. No. 36841  
FL E.C. Reg. No. 785



BLOCK 8  
PLAT BOOK 6 PAGE 77  
LOT 3

VACANT  
AVERAGE GRADE 5.0

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NATURAL RESOURCES DIV

# ALASKAN PARCEL SEAWALL RESTORATION

WASHINGTON AVENUE  
MIAMI BEACH, FL 33139

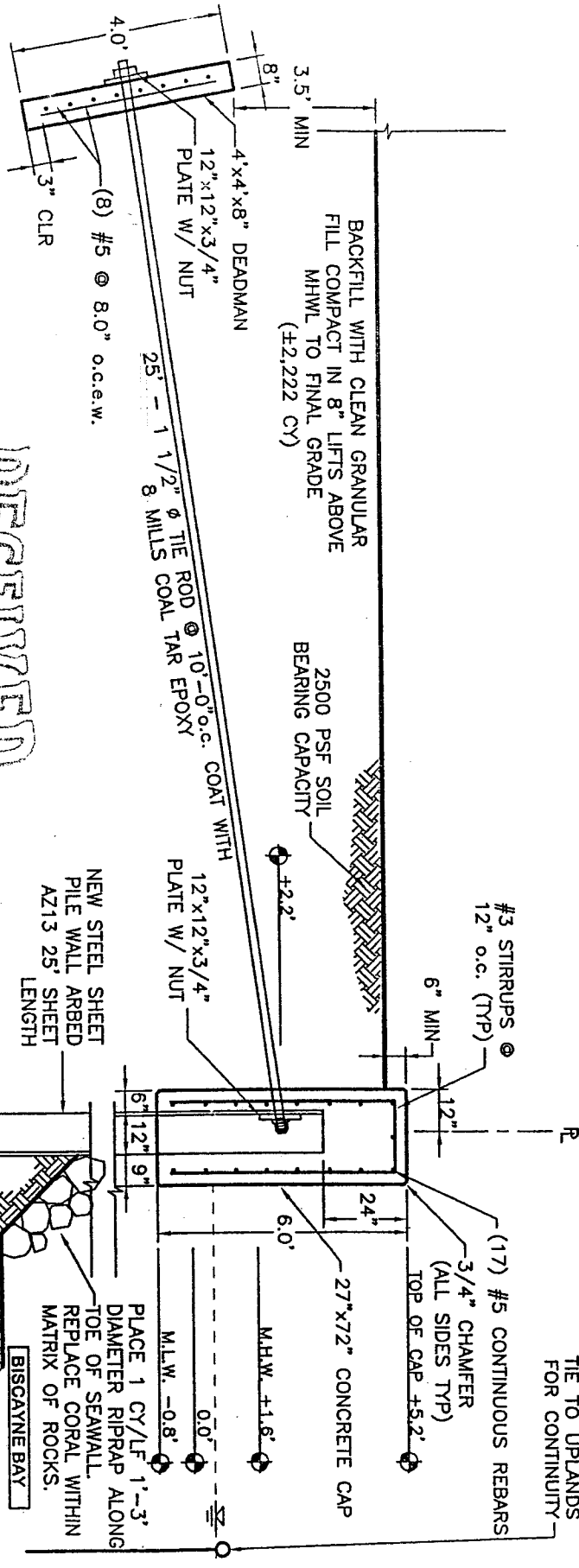
LAYOUT PLAN SHEET 4



2435 SW 27th AVE, SUITE 2  
MIAMI, FL 33145  
Tel: 305-455-4100  
Fax: 305-455-4700  
Email: melle@edc-corp.com  
R. E. McCall, No. 35841, C.  
FL Env. Reg. No. 7558

DATE: 03-04-04  
SCALE: 1"=50'  
DRAWN: JR  
JOB: 14301  
DATUM: NGVD





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NATURAL RESOURCES DIV

**A**  
**5**  
**EMBAYMENT SEAWALL SECTION**  
**SCALE 1"=4'**

# ALASKAN PARCEL SEAWALL RESTORATION

WASHINGTON AVENUE  
MIAMI BEACH, FL 33139

DETAIL



Environment  
Development  
Consultant

2455 SW 22TH AV. SUITE  
MIAMI, FL 33145  
Tel: 305-559-5100  
Fax: 305-559-7020  
Email: info@edc.com  
Kevin M. Jacobson  
P.E. Reg. No. 36541  
FL E.B. Reg. No. 7923

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MAR 16 2004

DATE: 03-04-04  
SCALE: 1"=4'  
DRAWN: JR  
JOB: 14301  
DATUM: NGVD

## **ATTACHMENT D**

Adjacent Riparian Landowner's List



## Florida Real Estate Decisions, Inc.



March 19, 2004

Coastal & Wetlands Section  
Environmental Resources Management  
33 S.W. 2nd Avenue  
Miami, Florida 33130

16375 N.E. 18th Avenue  
Suite 300  
Miami, FL 33162  
(305)757-6884

1500 West Cypress Creek Rd.  
Suite 409  
Ft. Lauderdale, FL 33309  
(954)761-9003

12765 W. Forest Hill Blvd  
Suite 1314  
Wellington, FL 33414  
(561)798-4423

WWW.FREDIFL.COM

Re: Property Owners List  
Within 300 feet of:

10 54 32 3.40 AC M/L  
A POR OF: BEG W/MOST COR LOT 6  
&  
THAT PART OF N132FT SMITH  
COTTAGES TR B PER DB 3459-470 & 472  
&  
10 54 42 .86 AC  
A POR OF: BEG 135.53FTSWLY OF SWLY  
COR OF BISCAYNE ST & WASHINGTON AVE  
SEE ATTACHED LEGAL:

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This is to certify that the attached ownership list, map and mailing labels are a complete and accurate representation of the real estate property and property owners within 300 feet of the subject property listed above. This reflects the most current records on file in the Miami-Dade County Tax Assessor's office.

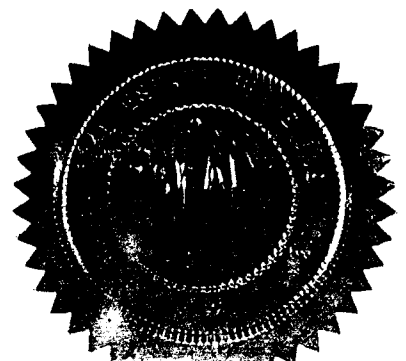
Sincerely,

Ray N. Hunt

RNH/ms

cc: Ms. Adrienne Hartman  
ENVIRONMENTAL DEVELOPMENT CONSULTANTS  
2455 SW 27th Ave, Suite 300  
Miami, Florida 33145

\*Number of Labels: 36



10 54 32 3.40 AC M/L  
BEG W/MOST COR LOT 6 BLK 4 PB 6-  
77 S 24 DEG W420.43FT N 65 DEG W  
261.59FT N 31 DEG W242.83FT N 57  
DEG E226.20FT E208.58FT SELY  
151.63FT TO POB  
50 S WASHINGTON AVE

&  
THAT PART OF N132FT SMITH  
COTTAGES TR B PER DB 3459-470 &  
472

&  
10 54 42 .86 AC  
BEG 135.53FTSWLY OF SWLY COR OF  
BISCAYNE ST & WASHINGTON AVE CONT  
SWLY116.1FT NW64.428FT W474.07FT  
NWLY91.80FT E598FT TO POB  
AKA ALL OF BLK 8

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APR 09 2004

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NATURAL RESOURCES DIV

36



02-4203-003-1320  
217 BISCAYNE ST  
OCEAN BEACH FLA SUB PB 2-38  
W30FT LOTS 9 & 10 & E100FT  
LOTS 9 & 10 BLK 10  
LOT SIZE IRREGULAR

IRWIN SAWITZ TR  
% STONE CRABS INC  
11 WASHINGTON AVE  
MIAMI BEACH FL 33139-7323

02-4203-003-1330  
227 BISCAYNE ST  
OCEAN BEACH FLA SUB PB 2-38  
LOTS 11 THRU 17 BLK 10  
LOT SIZE 44109 SQ FT

JIGS INVESTMENTS LTD  
11 WASHINGTON AVE  
MIAMI BEACH FL 33139-7323

02-4203-009-2020  
34 WASHINGTON AVE  
OCEAN BEACH ADDN NO 3 PB 2-81  
PORT OF LOT 1 & 2 BLK 51 DESC BE  
NW COR LOT 2 S26.27FT SELY66.81  
FT M/L TO E/L LOT 1 NELY41.4FT  
M/L ALG E/L LOT 1 TH W74.23FT  
TO POB  
LOT SIZE 41.400 X 60

CITY OF MIAMI BEACH  
1700 CONVENTION CENTER DR  
MIAMI BEACH FL 33139-1819

02-4203-009-2021  
28 WASHINGTON AVE  
OCEAN BCH ADDN NO 3 PB 2-81  
PORT OF LOTS 1 & 2 BLK 51 DESC  
BEG 26.27FTS OF NW COR LOT 2  
CONT S34.73FT M/L ALG W/L OF  
LOT 2 TH SELY59.19FT TO E/L LOT  
1 NELY 32.17FT M/L NWLY66.81FT  
M/L TO POB  
LOT SIZE 1930 SQ FT

CITY OF MIAMI BEACH  
1700 CONVENTION CTR DR  
MIAMI BEACH FL 33119-1819

02-4203-009-2030  
24 WASHINGTON AVE  
3-4 54 42 34 53 42  
OCEAN BEACH ADD NO 3 PB 2-81  
PORTION OF LOTS 1 & 2 AS PER DB  
3734-471 BLK 51  
LOT SIZE 1870 SQ FT

CITY OF MIAMI BEACH  
1700 CONVENTION CENTER DR  
MIAMI BEACH FL 33139-1819

02-4203-009-2040  
816 COMMERCE ST  
OCEAN BEACH ADD NO 3 PB 2-81  
LOT 3 BLK 51  
LOT SIZE 30.000 X 100

MIAMI BEACH LLC  
% GASTON SAFAR  
279 NEWBURY ST  
BOSTON MA 02116

02-4203-009-2041  
818 COMMERCE ST  
OCEAN BEACH ADD NO 3 PB 2-81  
LOT 4 BLK 51  
LOT SIZE 30.000 X 100

MAXIMO ALFREDO RAMOS &W REBECA  
850 COMMERCE ST  
MIAMI BEACH FL 33139-6711

02-4203-009-2060  
826 COMMERCE ST  
OCEAN BEACH ADD NO 3 PB 2-81  
LOT 5 BLK 51  
LOT SIZE 30.000 X 100

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

02-4203-009-2070  
834 COMMERCE ST  
OCEAN BEACH ADD NO 3 PB 2-81  
LOTS 6 & 7 BLK 51  
LOT SIZE 60.000 X 100

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

02-4203-009-2080  
840 COMMERCE ST  
OCEAN BEACH ADD NO 3 PB 2-81  
LOT 8 LESS W4FT BLK 51  
LOT SIZE 26.000 X 100

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

02-4203-009-2090  
846 COMMERCE ST  
OCEAN BEACH ADD NO 3 PB 2-81  
LOT 9 & W4FT LOT 8 BLK 51  
LOT SIZE 34.000 X 100

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

02-4203-009-2100  
850 COMMERCE ST  
OCEAN BEACH ADD NO 3 PB 2-81  
LOT 10 BLK 51  
LOT SIZE 30.000 X 100

GERVASIO RAMOS & IRAIDA  
850 COMMERCE ST  
MIAMI BEACH FL 33139-6711

02-4203-009-2110  
854 COMMERCE ST  
OCEAN BEACH ADD NO 3 PB 2-81  
LOT 11 BLK 51  
LOT SIZE 30.000 X 100

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

28

02-4203-009-2111  
858 COMMERCE ST  
OCEAN BEACH ADD NO 3 PB 2-81  
LOT 12 BLK 51  
LOT SIZE 30.000 X 100

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

02-4203-009-2120  
864 COMMERCE ST  
3-4 54 42 34 53 42  
OCEAN BEACH ADD NO 3 PB 2-81  
LOT 13 BLK 51  
LOT SIZE 30.000 X 100

GERVASIO ALFREDO RAMOS &W IRAIDA  
850 COMMERCE ST  
MIAMI BEACH FL 33139-6711

02-4203-009-2130  
868 COMMERCE ST  
3-4 54 42 34 53 42  
OCEAN BEACH ADD NO 3 PB 2-81  
LOT 14 BLK 51  
LOT SIZE 30.000 X 100

MAXIMO ALFREDO RAMOS &W REBECCA  
868 COMMERCE ST  
MIAMI BEACH FL 33139-6711

02-4203-009-2140  
874 COMMERCE ST  
OCEAN BEACH ADDN NO 3 PB 2-81  
LOT 15 BLK 51  
LOT SIZE IRREGULAR

CITY OF MIAMI BEACH  
1700 CONVENTION CENTER DR  
MIAMI BEACH FL 33139-1819

02-4203-009-2150  
23 JEFFERSON AVE  
OCEAN BEACH ADDN NO 3 PB 2-81  
LOT 16 BLK 51  
LOT SIZE 30.000 X 100

CITY OF MIAMI BEACH  
1700 CONVENTION CENTER DR  
MIAMI BEACH FL 33139-1819

02-4203-009-2160  
1 ALTON RD  
OCEAN BEACH ADDN NO 3 PB 2-81  
LOTS 17 & 18 & 10FT STRIP-WALK  
S OF SAME BLK 51  
LOT SIZE 60.000 X 112

CITY OF MIAMI BEACH  
1700 CONVENTION CENTER DR  
MIAMI BEACH FL 33139-1819

02-4203-009-2161  
OCEAN BEACH ADDN NO 3 PB 2-81  
10FT STRIP S OF LOTS 17 19 TO 22  
24-26-28-30 & 31 BLK 51  
LOT SIZE SITE VALUE

CITY OF MIAMI BEACH STREET FLA  
PO BIN 190000  
MIAMI BEACH FL 33139

02-4203-009-2180  
859 BISCAYNE ST  
3 4 54 42 34 53 42  
OCEAN BEACH ADDN NO 3 PB 2-81  
LOT 19 & 10FT STRIPWALKS BLK 51  
LOT SIZE 30.000 X 112

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

02-4203-009-2190  
855 BISCAYNE ST  
OCEAN BEACH ADDN NO 3 PB 2-81  
LOT 20 BLK 51  
LOT SIZE 30.000 X 112

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

02-4203-009-2200  
843 BISCAYNE ST  
3-4 54 42 34 53 42  
OCEAN BEACH ADDN NO 3 PB 2-81  
LOTS 21 & 22 & W15FT OF LOT 23  
BLK 51  
LOT SIZE 75.000 X 111

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

02-4203-009-2210  
833 BISCAYNE ST  
OCEAN BEACH ADDN NO 3 PB 2-81  
LOT 23 LESS W15FT & LOT 24 & W1/2  
OF LOT 25 & 10FT STRIP S OF SAME  
BLK 51  
LOT SIZE 60.000 X 111

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

02-4203-009-2220  
821 BISCAYNE ST  
OCEAN BEACH ADDN NO 3 PB 2-81  
LOT 26 E1/2 LOT 25 & LOT 27 & 10  
FT STR S OF SAME BLK 51  
LOT SIZE 75.000 X 111

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

02-4203-009-2230  
817 BISCAYNE ST  
3-4 54 42 34 53 42  
OCEAN BEACH ADDN NO 3 PB 2-81  
LOT 28 & 10FT STRIP LYG S & ADJ  
BLK 51  
LOT SIZE 30.000 X 110

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145



02-4203-009-2240  
801 BISCAYNE ST  
OCEAN BEACH ADDN NO 3 PB 2-81  
LOT 29 & 10FT STRIP WALK S OF  
SAME & LOT 30 BLK 51  
LOT SIZE 60.000 X 110

CITY OF MIAMI BEACH  
PO BIN 190000  
MIAMI BEACH FL 33139

02-4203-009-2250  
811 BISCAYNE ST  
OCEAN BEACH ADDN NO 3 PB 2-81  
LOT 31 BLK 51  
LOT SIZE 35.660 X 110

CITY OF MIAMI BEACH  
PO BIN 190000  
MIAMI BEACH FL 33139

02-4203-251-0001

MURANO AT PORTOFINO CONDO  
PT OF N132FT SEC AKA TR A OR  
SMITH BAY FRT TR BNDED ON N BY  
N/L SEC E BY JEFF AVE S BY LINE  
PAR TO & 132FT OF N/L & ON W BY  
BAY & LOTS 1 TO 7 & SELY30FT  
LOT 8 BLK 111 & PORT BISC ST-AVE  
LYG WLY OF SLY PROJ OF W/R/W/L  
JEFF AVE PB 2-81 LOT SIZE 172300

MURANO AT PORTOFINO CONDO ASSOC  
MR DAVID ROGEL, REGISTERED AGENT  
5201 BLUE LAGOON DR SUITE 100  
MIAMI FL 33126

02-4203-251-0001

MURANO AT PORTOFINO CONDO  
PT OF N132FT SEC AKA TR A OR  
SMITH BAY FRT TR BNDED ON N BY  
N/L SEC E BY JEFF AVE S BY LINE  
PAR TO & 132FT OF N/L & ON W BY  
BAY & LOTS 1 TO 7 & SELY30FT  
LOT 8 BLK 111 & PORT BISC ST-AVE  
LYG WLY OF SLY PROJ OF W/R/W/L  
JEFF AVE PB 2-81 LOT SIZE 172300

MURANO AT PORTOFINO CONDO ASSOC  
RUTH REMINGTON - OFFICER  
1000 S POINTE DR #1702  
MIAMI BEACH FL 33139

cl

02-4210-000-0040  
1 WASHINGTON AVE  
10 54 42 16.50 AC M/L  
BEG W/MOST COR LOT 6 BLK 4 PB 6-  
77 S65 DEG E1476.52FT TO EROSION  
LINE SELY630.14FT TO M/H/L GOVT  
CUT NWLY2207.25FT N 31 DEG W375.  
17FT E473.67FT SELY151.63FT TO  
POB LESS BEG W/MOST COR LOT 6  
BLK 4 PB 6-77 S 24 DEG W420.43FT  
N 65 DEG W261.59FT N 31 DEG W242.  
83FT N 57 DEG E226.20FT E208.58FT  
SELY151.63FT TO POB LESS A PORT  
PER LEASE AGREEMENT BETWEEN CITY  
OF MIAMI BEACH & SPECIALTY  
RESTAURANTS INC

CITY OF MIAMI BEACH  
CITY HALL  
1700 CONVENTION CENTER DR  
MIAMI BEACH FL 33139-1819

02-4210-000-0044

3-10 54 42 .35 AC M/L  
COMM AT MOST WLY COR OF LOT 6  
BLK 4 OF PB 6-77 TH N 65 DEG W  
151.63FT S 87 DEG W 208.58FT  
FOR POB TH S 57 DEG W 230.2FT  
N 32 DEG W 132.34FT N 87 DEG E  
265.09FT TO POB  
AKA FEDERAL TRIANGLE

CITY OF MIAMI BEACH  
1700 CONVENTION CENTER DR  
MIAMI BEACH FL 33139-1819

02-4210-000-0060  
300 S POINTE DR 2104  
10 54 42 0.41 AC  
BEG 6.16FT SLY OF SE COR OF  
WASHINGTON AVE & BISCAYNE ST TH  
N 87 DEG E 291.65FT S 10 DEG W  
63.11FT N 79 DEG W 6.4FT S 87  
DEG W 249.018FT S 62 DEG W  
44.865FT N 10 DEG E 81.34FT TO  
POB  
LOT SIZE 17850 SQ FT

MARQUESA DEVELOPMENT LTD  
500 SOUTH POINTE DR UNIT # 220  
MIAMI BEACH FL 33139-7317

42

02-4210-000-0137

03 54 42 4.915 AC  
BEG 717.266FTE OF SELY COR OF  
BISCAYNE ST & WASHINGTON AVE TH  
S 10 DEG W 165.21FT S 87 DEG W  
143.817FT S 26 DEG W 60.35FT S 27  
DEG E 8.33FT S 62 DEG W 2FT S 27  
DEG W 116.74FT N 62 DEG E 27FT  
S 27 DEG E 16.67FT S 62 DEG W  
27FT S 85 DEG E 144.24FT N 04 DEG  
E 82.64FT S 85 DEG E 41.52FT NELY  
ELY SELY AD 215.90FT S 89 DEG E  
307.91FT N 00 DEG E 319.93FT S 87  
DEG W 568.406FT TO POB & COMM  
SELY COR OF BISCAYNE ST &  
WASHINGTON AVE TH S 87 DEG E  
1309.31FT S 00 DEG W 936.72FT  
N 65 DEG W 776.91FT FOR POB N 04  
DEG E 210.77FT S 62 DEG W  
145.65FT S 27 DEG E 12FT S 62 DEG  
W 27.93FT S 27 DEG E 43.55FT S 24  
DEG W 40FT S 65 DEG E 126.446 FT  
TO POB A/K/A PHASE 2  
LOT SIZE 214120 SQ FT

SOUTH BEACH OCEAN PARCEL II LTD  
ONE SOUTH POINTE DR  
MIAMI BEACH FL 33139-7316

02-4210-013-0001

PORTOFINO TOWER CONDO  
PARCEL DESC IN OR 17405-2757  
LOT SIZE 24016 SQ FT

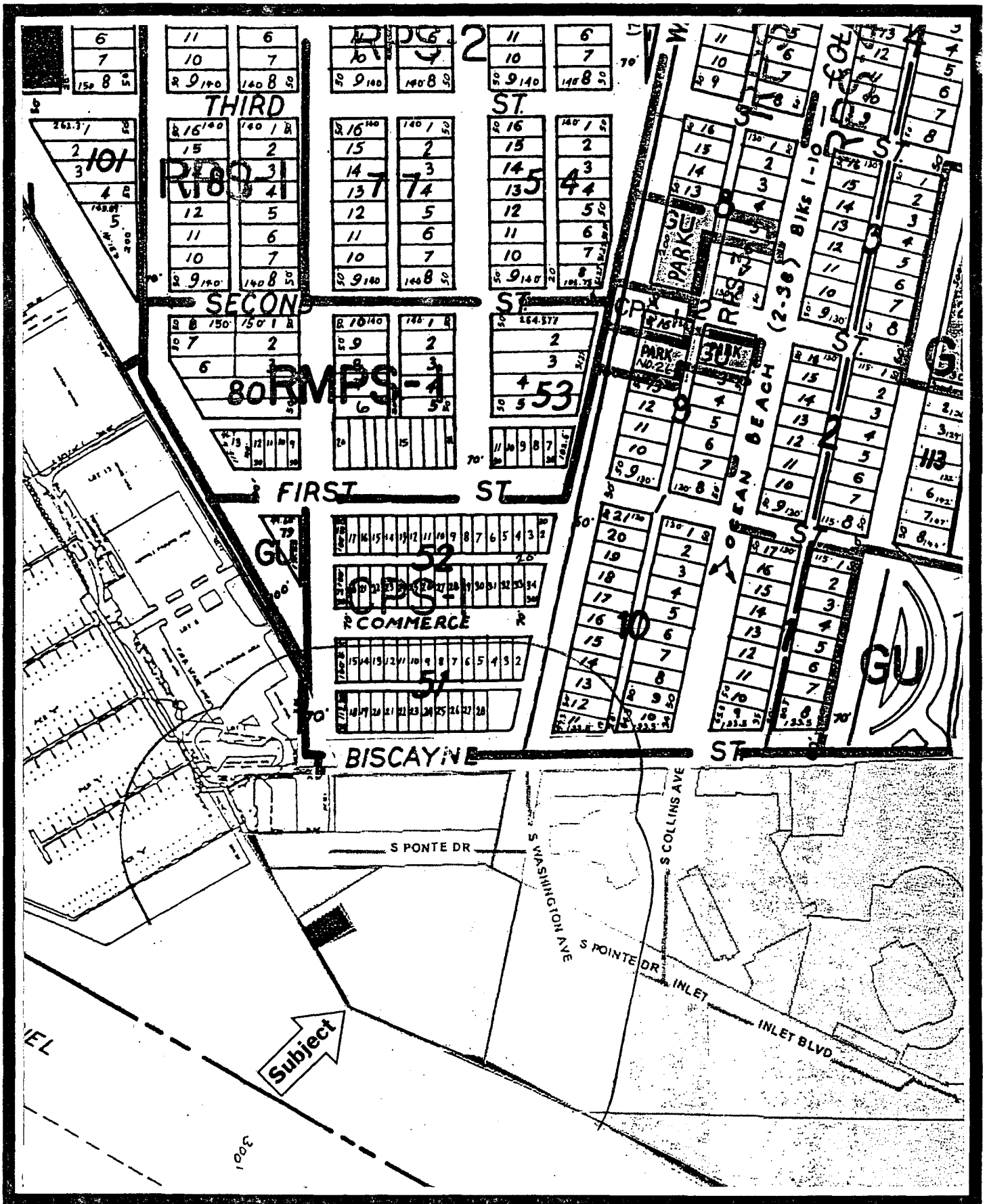
PORTOFINO TOWERS CONDO ASSOC INC  
DAVID B HABER P.A., REG AGENT  
1 SE 3RD AVE STE 1820  
MIAMI FL 33131

02-4210-013-0001

PORTOFINO TOWER CONDO  
PARCEL DESC IN OR 17405-2757  
LOT SIZE 24016 SQ FT

PORTOFINO TOWERS CONDO ASSOC INC  
RICHARD TASCA, OFFICER  
300 S POINTE DRIVE #2202  
MIAMI BEACH FL 33139

43



IRWIN SAWITZ TR  
% STONE CRABS INC  
11 WASHINGTON AVE  
MIAMI BEACH FL 33139-7323

JIGS INVESTMENTS LTD  
11 WASHINGTON AVE  
MIAMI BEACH FL 33139-7323

CITY OF MIAMI BEACH  
1700 CONVENTION CENTER DR  
MIAMI BEACH FL 33139-1819

CITY OF MIAMI BEACH  
1700 CONVENTION CTR DR  
MIAMI BEACH FL 33119-1819

CITY OF MIAMI BEACH  
1700 CONVENTION CENTER DR  
MIAMI BEACH FL 33139-1819

MIAMI BEACH LLC  
% GASTON SAFAR  
279 NEWBURY ST  
BOSTON MA 02116

MAXIMO ALFREDO RAMOS & W REBECA  
850 COMMERCE ST  
MIAMI BEACH FL 33139-6711

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

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2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

GERVASIO RAMOS & IRAIDA  
850 COMMERCE ST  
MIAMI BEACH FL 33139-6711

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

GERVASIO ALFREDO RAMOS & W IRAIDA  
850 COMMERCE ST  
MIAMI BEACH FL 33139-6711

MAXIMO ALFREDO RAMOS & W REBECCA  
868 COMMERCE ST  
MIAMI BEACH FL 33139-6711

CITY OF MIAMI BEACH  
1700 CONVENTION CENTER DR  
MIAMI BEACH FL 33139-1819

CITY OF MIAMI BEACH  
1700 CONVENTION CENTER DR  
MIAMI BEACH FL 33139-1819

CITY OF MIAMI BEACH  
1700 CONVENTION CENTER DR  
MIAMI BEACH FL 33139-1819

CITY OF MIAMI BEACH STREET FLA  
PO BIN 190000  
MIAMI BEACH FL 33139

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
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CORAL GABLES FL 33145

TRG-ALASKA III LLC  
2828 CORAL WAY PENTHOUSE SUITE  
CORAL GABLES FL 33145

CITY OF MIAMI BEACH  
PO BIN 190000  
MIAMI BEACH FL 33139

CITY OF MIAMI BEACH  
PO BIN 190000  
MIAMI BEACH FL 33139

MURANO AT PORTOFINO CONDO ASSOC  
MR DAVID ROGEL, REGISTERED AGENT  
5201 BLUE LAGOON DR SUITE 100  
MIAMI FL 33126

MURANO AT PORTOFINO CONDO ASSOC  
RUTH REMINGTON - OFFICER  
1000 S POINTE DR #1702  
MIAMI BEACH FL 33139

45

CITY OF MIAMI BEACH  
CITY HALL  
1700 CONVENTION CENTER DR  
MIAMI BEACH FL 33139-1819

CITY OF MIAMI BEACH  
1700 CONVENTION CENTER DR  
MIAMI BEACH FL 33139-1819

MARQUESA DEVELOPMENT LTD  
500 SOUTH POINTE DR UNIT # 220  
MIAMI BEACH FL 33139-7317

SOUTH BEACH OCEAN PARCEL II LTD  
ONE SOUTH POINTE DR  
MIAMI BEACH FL 33139-7316

PORTOFINO TOWERS CONDO ASSOC INC  
DAVID B HABER P.A., REG AGENT  
1 SE 3RD AVE STE 1820  
MIAMI FL 33131

PORTOFINO TOWERS CONDO ASSOC INC  
RICHARD TASCA, OFFICER  
300 S POINTE DRIVE #2202  
MIAMI BEACH FL 33139

# **ATTACHMENT E**

## Project Report

**PROJECT REPORT**

**CLASS I PERMIT APPLICATION NO. CC03-394**

**(TRG-ALASKA I, LTD APPLICATION FOR A CLASS I PERMIT  
TO INSTALL SIXTY-ONE POINT ZERO NINE (61.09) LINEAR FEET OF NEW  
BULKHEAD AND BACKFILL AN EXISTING BOAT BASIN LOCATED AT  
800 SOUTH POINTE DRIVE, MIAMI BEACH, MIAMI-DADE COUNTY)**

**DATE: SEPTEMBER 21, 2004**



Staff's recommendation of approval for the above-referenced permit application is based on the applicable evaluation factors under Section 24-58.3 of the Code of Miami-Dade County, Florida. The following is a summary of the proposed project with respect to each applicable evaluation factor:

1. **Hydrology** - The proposed project will not negatively affect existing patterns and/or volumes of flow in Biscayne Bay.
2. **Water Quality** – The proposed project will not adversely affect surface or groundwater quality.
3. **Wellfields/Water Supply/Aquifer Recharge** - The proposed project is not located within a wellfield, water supply or aquifer recharge area.
4. **Aesthetics** – The proposed project will not negatively affect the aesthetics of the area.
5. **Public Health** - The proposed project will not adversely affect the public health.
6. **Historic/Archaeological Values** – The proposed project is not located in an area of historical or archeological value.
7. **Air Quality** – The proposed project is not expected to significantly affect air quality.
8. **Marine and Wildlife Habitats** – The proposed project involves filling an existing boat basin that provides habitat for coral and sponges. The applicant will be relocating existing coral resources to a neighboring area of similar light and depth regime. In addition, the applicant will be placing limerock boulder riprap as mitigation for the filling and installation of the new bulkhead, which will provide additional coral and sponge habitat.
9. **Soils** – The proposed project will involve the use of fill for the filling of the basin. Said fill shall consist of only suitable material that is free from toxic pollutants and will be required to meet the definition of clean fill as defined in Chapter 24 of the Code of Miami-Dade County. Impacts to benthic communities will be mitigated as described in Section 8 above.
10. **Flora** – The proposed project does not involve impacts to flora.
11. **Fauna** – The proposed project will result in impacts to several species of corals and sponges. The corals located within the proposed project area will be relocated to a neighboring area of similar light and depth regime. In addition, the applicant will be placing limerock boulder riprap at the site along the new bulkhead.

12. **Rare, Threatened and/or Endangered Species** – The project is located along the Southernmost point of Miami Beach and is bordered by Government Cut. Although this area of the Bay is not designated as Essential Manatee Habitat, the West Indian Manatee (*Trichechus manatus*) does utilize this area.
13. **Natural Flood Damage Protection** - The proposed project will provide adequate surface water drainage and flood damage protection. Specifically, the permit will require that the cap of the new seawall will be a minimum of 6 inches above the finished grade and the uplands will be sloped landward to prevent positive stormwater drainage.
14. **Wetland Values** - The proposed project will not result in any net loss of wetland values to Miami-Dade County.
15. **Land Use Classification** – Pursuant to Section 24-58.2(II)(A)(7), Code of Miami-Dade County, Florida, a substantiating letter shall be submitted by the applicant stating that the proposed project does not violate any zoning laws. Said letter will be submitted pending approval by the County Commission and prior to issuance of the Class I Permit.
16. **Recreation** - The proposed project does not conflict with the Miami-Dade County Comprehensive Development Master Plan and Biscayne Bay Management Plan recreation elements.
17. **Other Environmental Values Affecting the Public Interest** – The proposed project will facilitate future construction of a public bay walk along the waterfront.
18. **Standard Construction Procedures, Practices and Performance Standards** - The proposed project complies with the construction practices and performance standards of:
  - a) Miami-Dade County Public Works Manual (Section D-5)
  - b) Biscayne Bay Management Plan
19. **Comprehensive Environmental Impact Statement (CEIS)** - The proposed project will not result in significant adverse environmental impacts in the opinion of the Director, therefore a CEIS was not required by DERM in order to evaluate the project.
20. **Conformance with All Applicable Federal, State and Local Laws and Regulations** – Staff believes the proposed project is consistent with the Biscayne Bay Aquatic Preserve Act, as well as other State and Local laws and regulations listed below. However, the U.S. Army Corps of Engineers will make a final determination on consistency with Federal laws.

- a) Biscayne Bay Aquatic Preserve Act
- b) Federal Endangered Species Act (US Fish & Wildlife Service)
- c) Florida Department of Environmental Protection Regulations
- d) United States Clean Water Act (Army Corps of Engineers Permit is required)

21. **Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP)** - In the opinion of DERM, the proposed project is consistent with the CDMP. The following is a summary of the proposed project as it relates to the CDMP:

**LAND USE ELEMENT I:**

**Objective 2/Policy 2A** - Level of Service. All other relevant Miami-Dade County departments have generically approved this category of proposed projects as consistent with the Miami-Dade County Concurrency Ordinance.

**Objective 3/Policies 3A, 3B, 3C** - Protection of natural resources and systems. – The proposed project is consistent with the Coastal Management Elements of the County's CDMP and the project is not related to the development in the East Everglades.

**TRANSPORTATION ELEMENT II**

**Aviation Subelement/Objective 9** - Aviation System Expansion - There is no aviation element to the proposed project.

**Port of Miami River Subelement/Objective 3** – The proposed project is not located in the Miami River.

**CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:**

**Objective 3/Policies 3A, 3B, 3D** - Wellfield protection area protection. - The proposed project is not located within a wellfield protection area.

**Objective 3/Policy 3E** - Limestone mining within the area bounded by the Florida Turnpike, the Miami-Dade/Broward Levee, N.W. 12 Street and Okeechobee Road. - The proposed project is not located within this area and does not include limestone mining.

**Objective 4/Policies 4A, 4B, 4C** - Water storage, aquifer recharge potential and maintenance of natural surface water drainage. - The proposed project will not adversely affect water storage, aquifer recharge potential or natural surface water drainage.

**Objective 5/Policies 5A, 5B, 5F** - Flood protection and cut and fill criteria. – The proposed project does not compromise flood protection and does not include cut and fill activities.

**Objective 6/Policy 6A** - Areas of highest suitability for mineral extraction. - The proposed project is not located in an area proposed or suitable for mineral extraction.

**Objective 6/Policy 6B** - Guidelines for rock quarries for the re-establishment of native flora and fauna. - The proposed project is not located in a rock quarry.

**Objective 6/Policy 6D** - Suitable fill material for the support of development. – The proposed project does not involve the placement of fill for development purposes.

**Objective 7/Policy 7A** - No net loss of high quality, relatively unstressed wetlands. – The proposed project is not located in high quality, relatively unstressed wetlands and therefore this objective is not applicable to the proposed project.

**Objective 9/Policy 9A** - Protection of habitat critical to Federal or State-designated threatened or endangered species. – The proposed project is located in Critical Habitat for *Halophila johnsonii* (Johnson's seagrass), a State and Federally designated Threatened Species of seagrass. However, the proposed project will not result in the elimination of any Johnson's seagrass.

In addition, the proposed project is located in an area the may be utilized by the West Indian Manatee (*Trichechus manatus*). However, the proposed project is not expected to result in adverse impacts to this endangered species provided standard manatee protection measures are implemented. Said standard manatee protection measures shall be implemented during construction.

**Objective 9/Policies 9B & 9C** – Protection of habitat critical to Federal and State designated threatened or endangered species of birds – The proposed project will not affect the nesting, roosting, and feeding habitats or rookeries for threatened species of birds.

#### **COASTAL MANAGEMENT ELEMENT VII:**

**Objective 1/Policy 1A** - Tidally connected mangroves in mangrove protection areas – The proposed project is not located within a designated "Mangrove Protection Area".

**Objective 1/ Policy 1B** - Natural surface flow into and through coastal wetlands. – The proposed project is not located in or near coastal wetlands and therefore will not affect natural surface flow into and through coastal wetlands.

**Objective 1/ Policy 1C** - Elevated boardwalk access through mangroves. - The proposed project does not involve access through mangroves.

**Objective 1/Policy 1D** - Protection and maintenance of mangrove forests and related natural vegetational communities. - The proposed project does not involve work in mangrove forests or related natural vegetational communities.

**Objective 1/Policy 1E** - Mitigation for the degradation and destruction of coastal wetlands. Monitoring and maintenance of mitigation areas. – The proposed project will not result in the degradation or destruction of coastal wetlands.

**Objective 1/Policy 1G** - Prohibition of dredging or filling of grass/algal flats, hard bottom or other viable benthic communities except as provided for in Section 24-58, of the Code of Miami-Dade County, Florida. – The proposed project does not involve the dredging or filling of viable benthic habitats.

**Objective 2/Policies 2A, 2B** - Beach restoration and renourishment objectives. - The proposed project does not involve beach restoration or renourishment.

**Objective 3/Policy 3E, 3F** - Location of new cuts and spoil areas for proper stabilization and minimization of damage from tidal currents and wave scour. – The proposed project does not involve new cuts, permitted emergent spoil areas or unconsolidated shorelines.

**Objective 5/Policy 5B** - Existing and new areas for water-dependent uses. – The proposed project does not involve the creation or expansion of an existing water dependent use.

**Objective 5/Policy 5D** - Consistency with Chapter 33D, Miami-Dade County Code (shoreline access, environmental compatibility of shoreline development) – The proposed filling of the existing boat basin does not require Shoreline Development approval.

**Objective 5/Policy 5F** - The siting of water dependent facilities. – The proposed project does not involve the siting of a new water dependant facility.

**Objective 6/Policy 6E** – Water dependant fixed or floating structures – The proposed project does not involve the placement of water dependant fixed or floating structures.

**Objective 6/Policy 6F** – Advertisements or signs over tidal waters – The proposed project will not have any advertisements or signs over tidal waters

22. **Conformance with Chapter 33B, Miami-Dade County Code** (East Everglades Zoning Overlay Ordinance) - The proposed project is not located within the East Everglades Area.

23. **Conformance with Miami-Dade County Ordinance 81-19** (Biscayne Bay Management Plan) - The proposed project is consistent with the Biscayne Bay Management Plan.
  24. **Consistency with Miami-Dade County Criteria for Lake Excavation** - The proposed project does not involve lake excavation.
  25. **Municipality Recommendation** – Pursuant to Section 24-58.2(II)(A)(7), Code of Miami-Dade County, Florida, a substantiating letter shall be submitted by the applicant stating that the proposed project does not violate any zoning laws. Said letter will be submitted pending approval by the County Commission and prior to issuance of the Class I Permit.
  26. **Coastal Resources Management Line** - A coastal resources management line was not required for the proposed project, pursuant to Section 24-58.2(II)(A)(10)(b) of the Code of Miami-Dade County, Florida.
  27. **Wetland Fill Limits** - The proposed project does not involve the placement of fill in wetlands.
- 

The proposed project was also evaluated for compliance with the minimum required standards in Section 24-58.3 (B), (C) and (D) of the Code of Miami-Dade County, Florida. The following is a summary of how the standards relate to the proposed project:

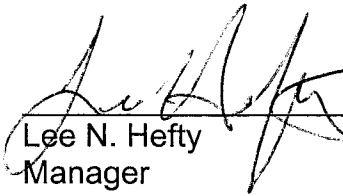
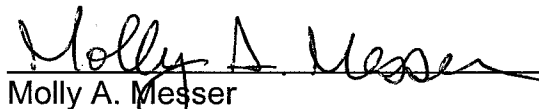
**24-58.3 (B) Dredging and/or Filling for Class I Permit** – The proposed project is not consistent with the dredge and fill criteria listed in Section 24-58.3(B) of the Code of Miami-Dade County. However, on September 9, 2004, the Environmental Quality Control Board granted a variance from this section of the Code, for this proposed project.

**24-58.3 (C) Docks and Piers for Mooring Purposes** – The proposed project does not involve the construction of docks or piers.

**24-58.3. (D) Clean Fill in Wetlands** – The proposed project does not involve the placement of fill in wetlands.

SUMMARY

BASED ON THE FOREGOING, IT IS RECOMMENDED THAT A CLASS I PERMIT BE APPROVED.

  
\_\_\_\_\_  
Lee N. Hefty  
Manager  
Coastal Resources Section  
\_\_\_\_\_  
Molly A. Messer  
Environmental Resources Project Supervisor  
Coastal Resources Section

# **ATTACHMENT F**

EQCB Board Order No. 04-69



**BEFORE THE MIAMI-DADE COUNTY  
ENVIRONMENTAL QUALITY CONTROL BOARD**

**IN RE:** : **Board Order No. 04-69**  
:  
:  
**TRG-Alaska I, Ltd.** :

THIS MATTER came before the Board as a request by Petitioner, TRG-Alaska I, Ltd., for an appeal pursuant to the provisions of Section 24-6 of the Code of Miami-Dade County, Florida or alternatively, a variance from the requirements of Section 24-58.3 of the Code of Miami-Dade County. During the course of the hearing, by and through its legal counsel, the Petitioner withdrew the appeal and for this reason, this matter proceeded solely as a variance request.

The request is to allow the construction of a seawall that would result in the filling of tidal waters. The above noted Code Section requires that any proposed dredging or filling work that requires a Class I Permit shall comply with at least one of six specific criteria stated therein. The proposed project is not consistent with any of said criteria. The subject property is located at 800 South Pointe Drive, Miami Beach, Florida and is more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

Section 24-58.3 of the Code requires that the Miami-Dade County Department of Environmental Resources Management (DERM) evaluate environmental and related impacts including, but not limited to, aesthetics, navigation, marine resources, and any other environmental value affecting the public interest when deciding whether to approve or deny the proposed project. Furthermore, Section 24-58.3(B) of the Code requires that dredging or filling work proposed in Class I permit applications shall comply with at least one of the six following criteria:

1. Minimum dredging and spoiling for public navigation or public necessity.
2. An alteration of physical conditions as may be necessary to enhance the quality or utility of adjacent waters.
3. Minimum dredging and filling for the creation and maintenance of marinas, piers, docks and attendant navigational channels.

4. Minimum dredging and filling as is necessary for the elimination of conditions hazardous to the public health or for the elimination of stagnant waters.
5. Minimum dredging and filling as is necessary to enhance the biological, chemical or physical characteristics of adjacent waters.
6. A physical modification necessary to protect public or private property.

The Board finds that as a part of the redevelopment of the subject property, the Petitioner wishes to install a sixty-one (61) linear foot bulkhead across the end of the existing boat basin and fill the area behind the aforesaid bulkhead. The Board also finds that the proposed work would not comply with the above referenced Code requirements.

The Board finds that filling the existing boat basin, which measures approximately sixty-one (61) feet along the shoreline and extends into the subject property approximately one hundred (100) feet, would provide a uniform, continuous seawall on site. The Board also finds that the proposed work would help eliminate the possibility of trapping and collecting floating trash and debris. The Board further finds that upland areas immediately adjacent to the existing boat basin are proposed for use as a public park. Filling the existing boat basin would allow for construction of a public bay walk with a more direct route along the shoreline. In addition, the Board finds that electronic correspondence from the City of Miami Beach Fire Department, submitted along with this Petition, indicates its support for filling the existing boat basin to provide a more direct route along the waterward edge of the proposed park.

The Board also finds that the DERM biological assessment of the existing boat basin revealed a sandy bottom devoid of seagrass. The Board further finds that some hard corals and sponges were attached to the existing bulkhead, with a few specimens scattered on the bottom within the basin. In addition, the Board finds that the condition of the bulkhead and the lack of tie up facilities provide evidence that the existing boat slip is no longer used for the mooring of vessels.

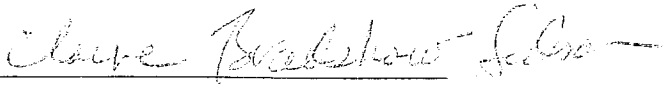
Finally, the Board finds that, based upon the evidence and testimony presented and the foregoing findings, granting the Petitioner's request for a variance from the above noted Code requirements will not be detrimental to the public health, welfare and safety, will not create a nuisance and will not materially increase the level of pollution in this County.

### **ACCORDINGLY, IT IS**

**ORDERED AND ADJUDGED** that, based upon the evidence and testimony presented and the foregoing findings, Petitioner's request for a variance from the requirements of Section 24-58.3 of the Code be and the same is hereby granted, subject to the following conditions:

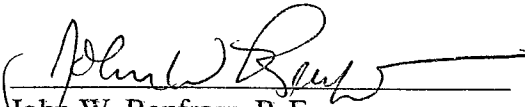
1. Petitioner shall submit a coral relocation plan for the relocation of coral resources located within the subject boat basin.
2. Petitioner shall place one cubic yard of limestone riprap boulders for each linear foot of new seawall installed.

Done and Ordered this 2 day of November, 2004 in Miami-Dade County, Florida.

  
Claire Bradshaw-Sidran, Ph.D.  
Chairperson

**FILING AND ACKNOWLEDGEMENT**

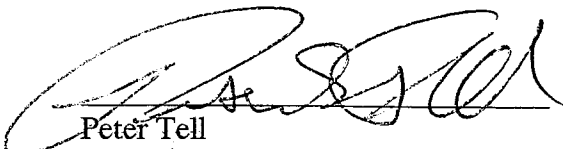
Filed on this 2 day of November, 2004 with the Secretary of the Board as Clerk of the Environmental Quality Control Board, receipt of which is hereby acknowledged and the seal of the Board affixed below.

  
John W. Renfrow, P. E.  
Secretary and Clerk

SEAL

Approved as to form and legal sufficiency:

Robert A. Ginsburg  
County Attorney  
Attorney for the Board

  
Peter Tell  
Assistant County Attorney

## EXHIBIT "A"

### PARCEL I:

Block 8, SOUTH BEACH PARK SUBDIVISION, recorded in Plat Book 6, at Page 77, of the Public Records of Miami-Dade County, Florida, less and excepting therefrom the following two dedications:

A 50.00 foot dedication in Block 8, of SOUTH BEACH PARK SUBDIVISION, recorded in Plat Book 6, at Page 77, of the Public Records of Miami-Dade County, Florida. Said 50.00 foot dedication being described as follows:

Bounded on the North by the Northerly line of said Block 8, bounded on the South by the Southerly line of said Block 8, said Southerly line also being the Northerly line of the Government Reservation shown hereon; bounded on the East by a line parallel to and 50.00 feet distant Easterly of, as measured at 90 degrees to the Westerly line, of said Block 8; bounded on the West by the Westerly line of the above-referenced Block 8, said Westerly line also being the Easterly line of Biscayne Bay.

A 40.00 foot dedication in Block 8, of SOUTH BEACH PARK SUBDIVISION, recorded in Plat Book 6, at Page 77, of the Public Records of Miami-Dade County, Florida. Said 40.00 foot dedication being described as follows:

Bounded on the North by the Northerly line of the above-referenced Block 8; bounded on the South by the Southerly line of the above-referenced Block 8, said Southerly line also being the Northerly line of the Government Reservation shown hereon; bounded on the East by the Westerly line of Washington Avenue, said Westerly line also being the Easterly line of Block 8; bounded on the West by a parallel to and 40.00 feet; distant Westerly of as measured at 90 degrees to the Westerly line, of the above-referenced Washington Avenue.

### PARCEL II:

A Parcel of land and accreted land located in Section 10, Township 54 South, Range 42 East, Miami-Dade County, Florida, and being more particularly described as follows:

For a POINT OF BEGINNING commence at a 10-inch-square concrete monument located on the Northerly boundary of the U.S. Army Corps of Engineers Reservation, being the Westernmost corner of Lot 6, Block 4, of SOUTH BEACH PARK SUBDIVISION, recorded in Plat Book 6, Page 77, of the Public Records of Miami-Dade County, said monument designated "C" having a grid coordinate of X-784,440.39 and Y-521,912.47. Said monument also lies approximately South 24°27'26" West a distance of 592.30 feet South of and North 65°36'16" East a distance of 554.97 feet West of the Northeast corner of the Northwest ¼ of Section 10, Township 54 South, Range 42 East. From said POINT OF BEGINNING run thence South 24°25'50" West a distance of 420.43 feet, more or less, to the Mean High Water (M.H.W.) line of the Northerly shoreline of the "Government Cut" for the entrance channel of the Miami Harbor; thence North 65°35'19" West along said M.H.W. line a distance of 261.59 feet to a point on a bulkhead; thence North 31°08'28" West along said bulkhead a distance of 242.83 feet to U.S. Army Corps of Engineers Monument "Virgil" having a grid coordinate of X-783,902.72 and Y-521,845.63; thence North 57°41'41" East a distance of 226.20 feet to Monument "West" having a grid coordinate of X-784,093.91 and Y-521,966.52; thence North 87°38'37" East a distance of 208.58 feet to Monument "G" having a grid coordinate of X-784,302.32 and Y-521,975.14; thence South 65°35'12" East a distance of 151.63 feet to Monument "C" and the POINT OF BEGINNING.

### PARCEL III:

Part of the Northwest quarter of Section 10, Township 54 South, Range 42 East, described as follows:

Begin in the North line of Section 10, which is also South line of Biscayne Street at its intersection with East line of Jefferson Avenue extended; then South in line drawn at right angles to South line of Biscayne Street 132 feet; thence East in line drawn parallel with South line of Biscayne Street to West line of Washington Avenue; thence North along West line of Washington Avenue to its intersection with South line of Biscayne Street; thence West along South line of Biscayne Street to POINT OF BEGINNING. Also described as: All that part of North 132.00 feet of Section 10, Township 54 South, Range 42 East, known as Smith Cottages Tract and also as Tract B and bounded on North by North line of Section 10; on West by East line of Jefferson Avenue extended; on South by line parallel to and 132' South of North line of Section 10; on East by West line of Washington Avenue extended.

### PARCEL V: Easement Parcels

A non-exclusive easement as created by Special Warranty Deed recorded in Official Records Book 12566, Page 2912 for ingress and egress over the following described property:

A 50.00 foot dedication in Block 8, of SOUTH BEACH PARK SUBDIVISION, recorded in Plat Book 6, at Page 77, of the Public Records of Miami-Dade County, Florida. Said 50.00 foot dedication being described as follows: Bounded on the North by the Northerly line of said Block 8, bounded on the South by the Southerly line of said Block 8, said Southerly line also being the Northerly line of the Government Reservation shown hereon; bounded on the East by a line parallel to and 50.00 feet distant Easterly of, as measured at 90 degrees to the Westerly line, of said Block 8; bounded on the West by the Westerly line of the above-referenced Block 8, said Westerly line also being the Easterly line of Biscayne Bay. and

A non-exclusive easement as created by Special Warranty Deed recorded in Official Records Book 12566, Page 2910 for ingress and egress over the following described property:

A 40.00 foot dedication in Block 8, of SOUTH BEACH PARK SUBDIVISION, recorded in Plat Book 6, at Page 77, of the Public Records of Miami-Dade County, Florida. Said 40.00 foot dedication being described as follows: Bounded on the North by the Northerly line of the above-referenced Block 8; bounded on the South by the Southerly line of the above-referenced Block 8, said Southerly line also being the Northerly line of the Government Reservation shown hereon; bounded on the East by the Westerly line of Washington Avenue, said Westerly line also being the Easterly line of Block 8; bounded on the West by a line parallel to and 40.00 feet; distant Westerly of as measured at 90 degrees to the Westerly line, of the above-referenced Washington Avenue.

July 26 2004

Molly Messer  
Miami-Dade County Department of Environmental Resource Management  
Suite 400  
33 SW 2nd Avenue  
Miami, Florida 33130

Re: File# CC 03-394  
TRG-Alaska III, LLC  
Filling of Existing Boat Notch aka Cook's Inlet, Boat Basin, Boat Slip

Dear Ms Messer,

Please consider this a letter of objection to the above mentioned project on behalf of myself as a local resident and as a member of the Alliance for Reliable Transport.

We spoke on the telephone about this project in June and you indicated this would go before the County Commission in September or October. Is there any update on the process and the timing? Also, would it be possible and productive for me and other advocates for retaining the boat basin to meet with you or other staff to present our position on this matter, including the background and issues involved?

One of these issues is about to be resolved. I believe you told me the Applicant had to meet one of six criteria to get a permit for dredging or filling and the circumstances outlined by the Applicant had to do with Fire Department and Public Safety access, maintaining that the 25' public right of way around the boat basin was too narrow for easy access. On Wednesday July 28 the City Commission and The Related Group are scheduled to sign a Settlement Agreement that will deed the land surrounding the boat basin to the city as part of a two acre portion of the Alaska Parcel that will become part of the existing 17 acre South Pointe Park. The minimum distance around the boat basin owned by the city will be 70' on the east side with a great deal more on the north and the south. Access by emergency vehicles will no longer be a problem.

We have a great many objections to the filling of this resource, some of which are outlined in the attached letter of objection to the Army Corps of Engineers and the Resolution from the Alliance for Reliable Transport. In addition to its potential as a superb public boat landing area, protected from wind and currents (as it was for many decades for pilot boats), it is also a wonderful amenity for the public bay walk adding a diversion from the straight linear path along the shore and a view of the water from a different perspective, looking down into it rather than across the rip rap to the water.

Now that the City of Miami Beach will be the owner of the property surrounding and abutting the boat notch, will this matter even continue to be before your Agency? As a part of the Settlement Agreement, the question of filling in the boat basin has been postponed. The City is in the process of preparing an RFQ for planning, architectural and engineering services for a master plan for redesign, renovation and improvements of South Pointe Park including the integration of the two acres which include the boat notch. There will be a great deal of community input and the matter of the boat notch will be a prime element to be addressed. Realistically, the earliest the selected firm can start work is January 2005. I think it is highly unlikely the consultants, city staff and community will opt for filling in this irreplaceable resource and amenity.

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In view of this change in ownership and the prospective hiring of a Consultant, will you still continue to work on this application?

I hope you will keep me apprised of any activity on this item and let me know if there is any other action we should take to express our objections to the filling of the boat notch.

Thank you,



Erika Brigham

735 2nd Street  
Miami Beach, FL 33139

305 531 6363  
erikab@the-beach.net

cc: Gary Held; Don Shockey; Kevin Smith; Miami Beach Mayor and City Commissioners;  
A.R.T.; Frank DelVecchio; Ruth Remington; Penny Cutt, U.S. Army Corps of Engineers

July 26, 2004

Penny Cutt  
U. S. Army Corps of Engineers  
4400 PGA Boulevard  
Suite 500  
Palm Beach Gardens, FL 33410

Re: SAJ-2004-699  
TRG Alaska III  
Filling of Boat Notch

Dear Ms Cutt,

I spoke with you on June 21 regarding the matter of the filling of a boat notch sometimes known at Cook's Inlet, the boat basin, or the boat slip at the south west end of Miami Beach south of the Miami Beach Marina surrounded by land known as the Alaska Parcel. The boat notch is 60' wide, 100' long and has an approximate depth of 12'.

At the time of our conversation you had not yet addressed this issue but stated that it would probably come to you in about a month. At that time you would coordinate with other agencies including the County DERM, National Marine Fisheries, Water Quality and perhaps some others. I believe you also stated you would send a coordination letter to adjacent landowners. You told me that Federal criteria indicates that this would be considered a "Minor Permit" as it would be considered a small project requiring only a "Letter of Permission".

On behalf of myself and the Alliance for Reliable Transport I would like to object to the filling in of the boat notch. The Alliance for Reliable Transport is comprised of a group of local citizens to promote and support alternative modes of public transportation. The website is [www.protransit.org](http://www.protransit.org) and the address is The Seymour, 945 Pennsylvania Avenue, Miami Beach, FL 33139. Enclosed is a Resolution from the Alliance resolving to preserve the boat notch/basin/Cook's Inlet stating the reasons we object to the filling of this resource.

I believe the application to fill the notch was submitted by The Related Group, owner of the Alaska Parcel. This Wednesday July 28 at the Miami Beach City Commission meeting the Commissioners will likely approve a Settlement Agreement between TRG and the City which will transfer ownership of approximately two acres of the Alaskan Parcel to the City, and the boat notch is within these two acres.

This means that the land surrounding and abutting the boat notch will become part of the existing 17 acre South Pointe Park and will likely render moot any attempt to fill the basin. There will be extensive community input on the planning and redesign of the entire park integrating the new 2 acre parcel in preparation for a scheduled \$5 million+ renovation and improvement project. The basin should remain as an integral aesthetic, historic and practical element and attribute. There is no logical reason to do otherwise.



Erika Brigham  
735 2nd Street, Miami Beach, FL 33139 305 531-6363 Erikab@the-beach.net  
cc: Gary Held, City of Miami Beach; Molly Messer, Miami-Dade DERM; A.R.T.,  
Miami Beach Mayor and City Commissioners; Frank Delvecchio; Ruth Remington; Don  
Shockey; Kevin Smith

**RESOLUTION: Preserve Cook's Inlet / Boat Basin***ALLIANCE FOR RELIABLE TRANSIT***WHEREAS:**

Cook's Inlet is a boat basin situated at the southwestern tip of Miami Beach, between South Pointe Park and the parcel of South Pointe Park known as Federal Triangle, on that portion of the Alaskan Parcel that is to become unified with South Pointe Park as a result of the legal settlement with the current property owner.

If the City of Miami Beach acquires Cook's Inlet pursuant to the legal settlement, it will be located at the westernmost edge of a major public park, linked to a public baywalk that encircles the South Pointe waterfront, adjacent to a marina, and proximate to both the current and recommended future route for South Beach's public transit circulator system.

Cook's Inlet boat basin is a unique waterfront feature in Miami Beach that has historically been used for maritime purposes and cannot be filled or relocated without the approval of local, state, and federal regulatory agencies.

Based on its surface dimensions, and the absence of any competent, independent finding that the boat basin is no longer navigable, Cook's Inlet might be utilized in the future by a variety of water craft, including (but not limited to) water taxis, tourist boats, and pedestrian ferry boats.

**NOW THEREFORE BE IT RESOLVED:**

THAT Cook's Inlet is ideally located on Miami Beach for a variety of public marine transport or tourism routes that might be implemented in the future, including (but not limited to) tourism or commuting by water between Miami Beach and downtown Miami, Bayside, or Watson Island; tours of the Biscayne Bay islands; and water travel to Virginia Key, Key Biscayne, Coconut Grove, and potential public landings further north along Miami Beach;

THAT Cook's Inlet is ideally situated within Miami Beach at the junction of a public park, a public baywalk, a marina, and a public transit circulator for South Beach, making it both highly accessible and visible to the public, and adding visual interest, variety, and alternative modes of access to the public park and baywalk;

THAT the City of Miami Beach should conduct meaningful analysis of the varieties of marine transport that might be able to utilize the boat basin for loading and unloading passengers, including water taxis, tourist boats, and pedestrian ferries, and should integrate plans for compatible maritime transit in the re-design of South Pointe Park and a sunset plaza feature adjacent to a functioning Cook's Inlet; AND

THAT the City of Miami Beach should take no position adverse to the full preservation of Cook's Inlet absent competent evidence and public hearings finding no viable present or future maritime use for Cook's Inlet.